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Friday, April 22, 1960
Vaisakha 2, 1882 (Saka)

LOK SABHA DEBATES

Tenth Session
(Second Lok Sabha)

LOK SABHA SECRETARIAT

New Delhi

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LOK SABHA

Friday, April 22, 1960|Visakha 2, 1882 (Saka)

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

उत्तर प्रदेश में तेल सर्वेक्षण

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†१६३९. { श्री भक्त दर्शन : / श्री पांगरकर : / श्री विश्वनाथ राय : }

क्या इस्पात, खान और ईंधन मंत्री ६ दिसम्बर, १९५९ के तारांकित प्रश्न संख्या ७४० के उत्तर के संबंध में यह बताने की कृपा करेंगे कि :

(क) उत्तर प्रदेश के हिमालय की तलहटी में तेल-सर्वेक्षण का जो कार्यक्रम चल रहा था, उसमें इस बीच और क्या प्रगति हुई है ; और

(ख) इस सर्वेक्षण के फलस्वरूप किन किन स्थानों पर तेल मिलने की आशा है ?

खान और तेल मंत्री (श्री के० डे० मालवीय) : (क) लगभग १०० वर्ग मील की विस्तृत मानचित्रकारी और तकरीबन २०० मीलों की लम्बाई में भूगर्भीय सांरेखण (Geological traversing) किया गया है ।

(ख) क्षेत्र की तेल संभावनाओं को जानने के लिये भूभौतिकीय सर्वेक्षण के साथ साथ अभी और काफी कार्य आवश्यक होगा ।

[(a) About 100 sq. miles of detailed mapping and some 200 linear miles of geological traversing have been carried out.

(b) Much more work, including geophysical surveys, will be necessary to assess the oil possibilities of the region.]

श्री भक्त दर्शन : अब तक जो सर्वेक्षण का कार्य किया गया है इसके आधार पर या किसी स्थान पर ड्रिलिंग करने का भी विचार है, यदि है तो कब तक यह होने वाली है और कहां पर होने वाली है ?

श्री के० डे० मालवीय : अभी तक जो सर्वेक्षण किया गया है, वह प्रथम श्रेणी का सर्वेक्षण है जिस में सतह के नीचे के पर्वतीय आकारों का और पाताल की और सूचनाओं का पता लगाने की कोशिश की गई है और की जा रही है । अगर वे सब सूचनायें माफिक पड़ीं तो एक कार्यक्रम ड्रिलिंग का भी रखा जाएगा । लेकिन आयल एंड नैचुरल गैस कमीशन ने निश्चय किया है कि अगले आने वाले महीने में या जून के महीने में प्रान्त के बदायूं जिले में, सचना का एकत्रीकरण करने के लिए ड्रिलिंग करेंगे ।

Shri Basappa: May I know whether we have able men in sufficient numbers for doin g this survey work and also proper equipment for this work?

Shri K. D. Malaviya: Yes, Sir. There are good and sufficiently able men to carry out such a work in the country and they are doing it.

Shri Bishwanath Roy: May I know whether any step has been taken by the Geological Survey of India for searching oil in the basin of Rapti-Ghogra-Gandak where something like oil is found in the water?

Shri K. D. Malaviya: I have not much information about the latter part of the remarks made by the hon. Member that some oil has been found in the water. So far as the geological survey for oil in this basin is

concerned, it is not possible to carry out any investigation because the entire area is covered by very thick alluvium. All that is possible is some geophycial investigation by sound methods. We have already started and some good size of work is being done in connection with geophysical investigations in that area referred to by my hon. friend in the Eastern U.P. The German team in association with our experts is carrying out some geophysical investigation at present.

Shri C. D. Pande: May I know if the Government is aware that some four or five years back, there were reports from the geological department that from Saharanpur to Pilibhit there is the possibility of a belt of oil. Since then have any steps been taken to follow up that possibility. Recently, there has been a report that in Badaun also there is a possibility of gas and oil. There are reports but when they are not followed up, there is always some misconception in the minds of the public.

Shri K. D. Malaviya: I would like to clarify the situation. For all this information, if anybody is responsible, it is the Oil and Natural Gas Commission and the Geological Survey of India. They initiate studies and possess such information because they do a lot of work in order to gather that information. Therefore, the credit or otherwise goes to the Oil and Natural Gas Commission and the Geological Survey of India for the collection of this data.

So far as the area referred to by my friend is concerned, some progress has been made in the preliminary surveys in the areas, especially the Himalayan foothills of U.P. Especially, some work has been carried out in the Mohand Pass structure and in the Powagarh anticline and Kolagarh anticline. We are pursuing this work more especially in the Sivalik hills between Ganges and Jamuna in Saharanpur and Dehra Dun districts. Besides that nearabout Ram Ganga and Kosi in Garhwal and Naini Tal districts, some preliminary work is going on apart from that in the thick alluvium down below. The German team is working at it. All this constitutes early and preliminary stages to eliminate certain factors which might go against oil possibilities.

Import Licences to Bombay Firms

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*1640. **Shri Ram Krishan Gupta:**
Shri Madhusudan Rao:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 460 on the 1st December, 1959 and state:

(a) whether Government have examined the results of the investigations in the fraudulent issue of import licences to Messrs. Fedco Private Ltd., and Messrs. Wakefield Paints Private Ltd., Bombay;

(b) if so, the result thereof; and

(c) the action taken in the matter?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (c). A charge sheet has been field on 24-3-1960 in the court of Special Judge, Greater Bombay, Bombay against 3 directors of M|s. Fedco Private Ltd., 2 directors of M/s. Wakefield Paints Private Ltd., Bombay, 3 Government Servants and other person.

Shri Ram Krishan Gupta: What is the value of the import licence alleged to have been issued fraudulently?

Shri Datar: I have not got that figure here.

Shri Ram Krishan Gupta: May I know whether as the hon. Minister has stated that some officers have been held guilty, any action has been taken against any one of them.

Shri Datar: I have already pointed out that three officers are being prosecuted along with the others.

Assessment Committee on Higher Education

*1641. **Shri D. C. Sharma:** Will the Minister of **Education** be pleased to

refer to the reply given to Starred Question No. 840 on the 14th December, 1959 and state:

(a) the progress made by the Expert Committee constituted by University Grants Commission for assessing existing position in regard to teaching and research at Post-graduate level in various science subjects in Indian Universities; and

(b) when their reports are likely to be submitted?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). A statement is laid on the Table of the Sabha.

STATEMENT

The Expert Committee appointed by the University Grants Commission for the development of Geology and Applied Geology has submitted its report to the Commission in February, 1960. The Report of the Committee was considered by the University Grants Commission and the recommendations made by the Committee were approved for implementation by the Commission, in its meeting held on the 11th|12th February, 1960.

2. Three other Expert Committees on Zoology, Bio-chemistry and Mathematics are to hold their last meeting soon after summer vacation by which time their draft reports are expected to be ready.

3. The Botany Committee is meeting in June, 1960 and the Physics Committee a little later, but their reports are not expected to be ready before October, 1960. The Review Committee on Chemistry has still to begin its work.

4. It is planned to discuss the draft reports of these Committees in Seminars of the teachers concerned to be held in the months of November and December, 1960.

Shri D. C. Sharma: From the statement I find that some work has been done on some subjects. May I know if any work has been done in regard to Physics also?

Dr. K. L. Shrimali: The statement gives the information about this matter also. The hon. Member would see that the Physics Committee would meet a little later than June, 1960. The reports are not expected to be ready before October, 1960. The information is given in the statement.

Shri D. C. Sharma: In view of the fact that the Government of India is going to appoint a commission to enquire into the teaching of science all along the line, from the primary stage to the post graduate stage, is it not sheer waste that these committees should be appointed by the UGC to deal with these things?

Dr. K. L. Shrimali: No, Sir. There is no wastage in this. The commission which is proposed to be appointed is expected to survey the whole field of science, right from the elementary to the university stage. These committees, as the hon. Member would see, are concerned with the evaluation of teaching in the post-graduate departments and in scientific research departments. Therefore, there is no likelihood of any duplication and in any case the work which would be done by these committees will also be useful for the commission.

Shri Warior: It is stated in the statement that the report of the committee was considered by the U.G.C. and the recommendations made therein were approved for implementation. May I know what the recommendations are and how far they have been implemented?

Dr. K. L. Shrimali: I will place the report in the Library for the benefit of the hon. Members.

Shri Narasimhan: May I know whether the recommendations on geology and applied geology involve fresh expenditure and if so, to what extent?

Dr. K. L. Shrimali: Yes, Sir. Naturally some expenditure is involved. I will place all these details along with the report that I am placing.

Shri Basappa: It is stated that the Expert Committee on Chemistry has not yet begun its work. May I know why it has not yet begun its work?

Dr. K. L. Shrimali: This is a committee appointed by the University Grants Commission. The members are busy persons. They are not whole-time members of the Commission. They have to do this work in addition to works which they are already doing in various fields. In any case, the University Grants Commission is aware of the situation and they are expecting to submit this report as early as possible.

Shri Hem Barua: In view of the fact that co-ordination between the research conducted in the universities and non-university instituions is to be effected or is being effected, may I know what positive steps the Government have taken to co-ordinate the research conducted in the Delhi University, for instance, leading to the discovery of nuclear particles with the research conducted in the same line by the Atomic Energy Department etc?

Dr. K. L. Shrimali: Well, Sir, there is consultation between the various bodies at all levels. The Council of Scientific Research is in touch with the universities. There are various representatives of the universities on the Council. There is regular consultation between the various agencies, the national laboratories, the Atomic Energy Department, the Council of Scientific Research and the University Grants Commission with regard to the co-ordination of research.

Indian Museum, Calcutta

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*1642. **Shri S. C. Samanta:**
Shri Subodh Hansda:

Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether the construction work of the fire-proof building for the Indian Museum, Calcutta has started;

(b) what would be the cost of the construction;

(c) whether it will be a multi-storied building; and

(d) whether any other departments or offices will be located there?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Yes, Sir.

(b) The cost is estimated to be Rs. 24·70 lakhs.

(c) Yes, Sir.

(d) The question of allocation of space in the building is under consideration.

Shri S. C. Samanta: Is it not a fact that the Anthropological Department have deposited objects collected by them with this museum; if so, may I know whether a separate office for the Anthropological Department will be made?

Shri Humayun Kabir: This building will be mainly for the spirit collections of the Zoological Survey. Spirit collections of all the other sections of the museum will also be housed there. Anthropological and other departments may require additional space elsewhere.

Shri Raghunath Singh: May I know whether the office of the Asiatic Society will be located in the same building or it will find space somewhere else.

Shri Humayun Kabir: The Asiatic Society is quite different from the Indian Museum. It will have its own premises.

Shri M. B. Thakore: May I know whether the Government intend to build such museums in Bombay or in Delhi?

Shri Humayun Kabir: There is the National Museum in Delhi which will also be a great multi-purpose museum. In Bombay there is already a museum.

Shri Sadhan Gupta: May I know how many storeys this building will have and what will be the floor space available?

Shri Humayun Kabir: The building will be of six storeys. I have not calculated the floor space, but it can be found out from the cost.

Shri B. K. Gaikwad: May I know whether such a fire-proof building for the Indian Museum has ever been constructed anywhere in India or this is the first of its kind? Secondly, may I know if offices are located there in this fire-proof building, it will be out of danger?

Shri Humayun Kabir: The need for such a fire-proof building has been felt for a very long time. I believe, almost for 30 or 35 years there has been constant demand that for these invaluable collections of zoological specimens there should be a proper fire-proof building. In that building there may be certain other areas which may be used for office purposes, but the major emphasis will be on the sections which will preserve these collections.

Mr. Speaker: What he wants to know is, if other offices are also located in the same building, notwithstanding the fact that it is a fire-proof building, will it not be a source of danger.

Shri Humayun Kabir: That is why I said that special attention will be given to sections which will house the collections.

Mr. Speaker: They will be detached, separated from the main building?

Shri Humayun Kabir: No, Sir, in the floors where these collections will be kept special measures will taken with regard to fire-proofing and the whole building will also be fire-proof.

Shri Tyagi: In view of the heavy indebtedness the nation is incurring these days, have the Government not decided upon a sort of priority? Have they not taken a decision to keep in abeyance expenditure on items which are not immediately productive?

Shri Humayun Kabir: I am very happy to say that the Government have taken a very enlightened view. For these collections which are absolutely priceless and which if once destroyed will be a loss not only to India but to the whole world, after a great deal of effort we have been able to persuade the Government to remove all bans and the permission was given sometime back.

Small Blast Furnace, Barbil

***1643. Shri Chintamoni Panigrahi:** Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether the small blast furnace operating at Barbil in Orissa has produced pig iron by now;

(b) if so, the quantity of pig iron produced so far; and

(c) what is the cost of production of pig iron in small blast furnaces?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) Yes, Sir.

(b) 9310 tons upto the end of February, 1960.

(c) It is difficult to work out the cost of production based on a few months' initial operation of the plant. But indications are that the cost is likely to be higher than that of pig iron produced in a large conventional furnace.

Shri Chintamoni Panigrahi: May I know whether it is a fact that pig iron produced in this small blast furnace at Barbil has been exported to Japan by this time?

Shri Gajendra Prasad Sinha: Just now I am not in a position to tell him whether the pig iron produced in small furnaces is exported. But, of course, we are exporting some pig iron to different countries in the world—we are trying to do that.

Shri P. K. Deo: May I know if this is the only small blast furnace in this country or there are some more? May I also know if the Government are contemplating to give some more licences in the Third Plan period to put up more small blast furnaces in the country?

Shri Gajendra Prasad Sinha: There are many other small blast furnaces in this country, but I am not in a position just now to give the exact figure because the figure has already been given in this House many times. As far as the suggestion that there should be increased number of furnaces is concerned, of course, there is no difficulty if applications are forthcoming for that.

Shri Kasliwal: The Parliamentary Secretary just now said that the cost of production in this furnace is much higher than that in bigger plants. May I know how, then, these factories will dispose of their pig iron?

Shri Gajendra Prasad Sinha: I have already said that at present we have not been able to fully assess what will be the cost of production. But, any way, on the assessment made by the company for three months of working the figure is slightly higher than even the selling price. The selling price today is Rs. 225 a ton for pig iron while the retention price which we give to other big producers is near about Rs. 159 a ton.

Shri Tridib Kumar Chaudhuri: May I know why Government permitted starting of this small blast furnace when their team which went to China to study the working of small blast furnaces in that country found that the working and cost of production in that country were not very economic?

Shri Gajendra Prasad Sinha: Just now I stated that up till now we have not been able to assess what actually will be the cost of working. Anyway, it was conceded that the disadvantage in cost of production will be offset by the higher freight which one has to pay for areas which are away from the main producing centres. Therefore, some small blast furnaces in private sector were encouraged. Of course, those who have invested money will also consider whether they will be able to produce the thing at a cheaper rate. Unless the production goes on for a pretty long time, this is not the stage when we can say actually what will be the cost of production.

Shri Supakar: May I know whether there are any demands from those areas where there are no large deposits of iron ore or cooking coal for establishment of such blast furnaces; if so, what are those areas?

Shri Gajendra Prasad Sinha: Actually permission has been given to Madras, Bombay, Orissa and other places for starting blast furnaces as and when demands came. In many places, for instance Madras, there are large deposits of iron ore as well as coal. But there we are trying to have a different type which is a low shaft furnace. That is a different thing on which experiment is going on and the success of it will depend upon the experiments. But as far as the demand is concerned, of course there is demand from the areas where there is larger deposit of coal as well as iron ore.

Shri Panigrahi: May I know whether the Government has formulated any plan for having small blast furnaces and facilitating thereby the export of pig iron instead of exporting iron ore, so as to have better prices?

Shri Gajendra Prasad Sinha: We have already got vast deposits of iron ore and, as the hon. Member may be aware, we have entered into an agreement with Japan for the export of two plus four, that is, six million tons of iron ore. Hon. Member wants to know why iron ore is sent and not pig iron. But then, we are also increasing the production of pig iron and also of steel in this country. We are not lagging behind.

Shri Jaipal Singh: Near the Parliamentary Secretary's constituency, the

ancient *Asurs* are smelting iron ore in the old way. May I know whether the Parliamentary Secretary is doing anything to intensify their production?

Shri Gajendra Prasad Sinha: I could not follow the question.

Mr. Speaker: Small blast furnaces, in the traditional method adopted by certain people.

Shri Jaipal Singh: The ancient *Asurs* are smelting it. They are in his constituency.

Shri Gajendra Prasad Sinha: In that respect, the hon. Member has better experience than I have.

Mr. Speaker: Anything that smacks of personality ought to be avoided.

Shri Goray: I would like to know whether, in view of our experience in China or the information obtained from China that these small blast furnaces are not economic, the Government have any scheme to find out the cost accounting of these things and to see that these blast furnaces do not multiply before they find out the actual cost?

The Minister of Mines and Oil (Shri K. D. Malaviya): These questions are very much before the Government and require some long-term observation, researches and cost examination before we come to any specific decision.

Shri M. B. Thakore: May I know whether iron scrap is melted in the small blast furnaces and, if so, what is the quantity?

Shri Gajendra Prasad Sinha: Most of the iron scraps are melted in the electric furnaces which are slightly different from the blast furnaces.

Joint Councils in Central Secretariat

*1644. **Shri S. M. Banerjee:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether in accordance with the recommendations of the Pay Commission Whitley Councils and Joint Councils are to be formed in Central Secretariat and other subordinate offices; and

(b) if so, when?

The Minister of Home Affairs (Shri G. B. Pant): (a) and (b): The matter is under consideration and a decision is likely to be reached shortly.

Shri S. M. Banerjee: May I know whether it is a fact that similar staff councils are already working in these establishments in the Secretariat and, if so, may I know the number of such councils functioning at present?

Shri G. B. Pant: The staff councils are working in every Ministry in the Secretariat and there is also a coordinating committee consisting of the officers of certain Ministries who are mainly concerned with staff questions.

Shri S. M. Banerjee: May I know whether it is a fact that in March, 1958, a meeting was convened in which the secretaries of all staff councils and the official representatives were there and they took certain decisions and whether it is a fact that these decisions have not been implemented?

Shri G. B. Pant: These staff councils were formed, some of them early enough. Staff councils were set up in every Ministry in 1957. About the hon. Members reference to 1958, I cannot say anything definite about any particular meeting, because there have been, I think, a large number of meetings since. It is difficult to say what was done in any particular meeting.

Shri S. M. Banerjee: In reply to part (a) of the question, the hon. Minister stated that "the matter is under consideration". May I know when a final decision is likely to be taken regarding the formation of Whitley Councils?

Shri G. B. Pant: About the formation or non-formation?

Shri S. M. Banerjee: About the formation. Since it is said that it is under consideration, I take it that something is being done.

Shri G. B. Pant: I have said "shortly". Shortly means that it would not take very long.

Contour Topographical Maps

*1645. **Shri P. K. Deo:** Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether contour topographical maps are printed and made available for the entire country, by the Survey of India;

(b) if not, whether those maps are going to be printed;

(c) whether survey of those areas has been completed on the foot-pound system;

(d) if so, when; and

(e) the main obstacle in the printing of those maps?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr M. M. Das): (a) Yes, Sir. But the modern contour maps exist only for 84 per cent of the total area of the country.

(b) The remaining 16 per cent area covered by old style uncontoured maps will be surveyed with contours and printed on Metric System in due course.

(c) Yes, Sir, but without contours.

(d) Prior to 1905.

(e) The chief obstacle to the completion of the contour survey is shortage of the highly skilled staff required, and the specialised equipment needed.

Shri P. K. Deo: May I know if it is not a fact that the printing work is greatly hampered due to the non-installation of photogrammetric equipment which has been procured from the TCM authorities and because we were not able to put up an air-conditioned plant at Dehra Dun?

Th Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): I regret to say that that is a fact, and we have therefore taken it in hand and we hope it will be done very soon.

Shri P. K. Deo: I could not understand the meaning of "due course" given in reply to part (b) of the question. May I know the definition of "due course"?

Shri Humayun Kabir: We hope that the entire process can be carried out in about 20 years' time.

Shri Palaniyandi: There is a vast difference in the contour maps of States when compared to the contour maps of the Government of India. May I know whether the Government will come forward to clarify these differences and also get the State maps when they are preparing the Indian maps?

Shri Humayun Kabir: When the Indian maps are prepared, obviously the States are included. They are not outside India!

Shrimati Renu Chakravartty: The difficulty is not only with topographical maps but there is great difficulty for printing our maps. The Atlas Organisation in Calcutta has been asking for a separate press for this. May I know whether it is going to be expedited and whether that press can also cater to this requirement?

Shri Humayun Kabir: That question does not arise out of this main question. We shall deal with the National Atlas Organisation in a separate question which is there today.

Shri Thanu Pillai: What is the area which has not been surveyed?

Shri Humayun Kabir: This 16 per cent of the area covers roughly about 200,000 sq. miles.

Shri Thanu Pillai: In which part of the country does it lie?

Shri Humayun Kabir: I ask for notice.

PL 480

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*1646. **Shrimati Renu Chakravartty:** **Shri Chintamoni Panigrahi:**

Will the Minister of **Finance** be pleased to state:

(a) what are the terms of the supplementary agreement PL 480 signed by India with USA for supply of rice;

(b) whether it is a fact that 5 per cent proceeds out of this will not be available for public sector industries; and

(c) whether the additional 60,000 metric tons of milled rice to be made available by USA will also be restricted for trade with private business in foodgrains and not for the Government of India?

The Deputy Minister of Finance (Shri B. R. Bhagat): (a) and (b). A copy of the supplementary agreement signed on 21-3-1960 is available in the Parliament Library. It provides for the purchase by India of about 60,000 metric tons of rice from USA against rupee payment. The dollar cost of the commodity plus 50 per cent ocean transportation cost, estimated at $7.77 million, would be met by the United States Government. Eighty per cent of the rupee payments would be made available to the Government of India as loans and grants to finance projects of economic development. Out of the remaining 20 per cent of the rupee proceeds, 5 per cent have been earmarked for loans by the Export-Import Bank, Washington to American and Indian industries in the private sector. The prior concurrence of Government of India is obtained before any such loan is given by the Export-Import Bank. The remaining 15 per cent of the rupee proceeds would be available to U.S. Government for its own uses.

(c) No Sir. The rice will be imported by the Government of India on Government account.

Shri Raghunath Singh: May I know what will be the transportation charges of these commodities and may I know whether they will be transported by Indian ships?

Shri B. R. Bhagat: The transportation charges are given in the agreement. I think it would be about 0.8 million dollars for these kinds of commodities to be shipped. According to the arrangement, 50 per cent has to be brought in by American ships. The American rates are higher, but they are subsidised so as to meet the world rates. Even for the remaining 50 per cent which can be imported by Indian ships, we have not got tonnage. So, only a part of that is imported in Indian ships. The point is that whatever we can carry through our own ships we carry.

Shrimati Renu Chakravartty: How much the milled rice will work out to after paying freight etc.?

Shri B. R. Bhagat: I require notice for that question.

Shri Chintamoni Panigrahi: What is the rate of interest that India is paying on this PL 480 loan?

Shri B. R. Bhagat: A part of it is loan and a part of it is grant. All the details are given in the agreement, a copy of which is available to the hon. Members.

Mr. Speaker: Is it available in the Library or is it going to be laid on the Table?

Shri B. R. Bhagat: It is available in the Library.

Mr. Speaker: Then hon. Members will look into that.

Shri Sadhan Gupta: May I know whether this stipulation about 3 per

cent being made available to the private sector in India was put in at the instance of the United States Government and, if so, how are they interested in our private sector?

Shri B. R. Bhagat: The whole amount is authorised by the American Congress. As is well known, there is the Cooley Amendment which provides that up to 25 per cent have to be earmarked for help to the American or Indian business interests. In the previous agreement a fund of up to 25 per cent was provided. As the fund could not be fully utilized, we suggested that in this agreement a lesser amount should be provided. Now it has been reduced from 25 per cent to 5 per cent., because under our scheme of planning we give approval to the projects and this can be used only for Plan projects, not outside projects. With all these restrictions, whatever can be given to the private sector goes to that.

Shrimati Renu Chakravartty: May I know whether the attention of the Government has been drawn to the report which says that in the course of the next 5 or 7 years the accumulation in the rupee fund will be equal to the Central budget? If so, what will be the amount of interest which we shall have to pay on the loan?

Shri B. R. Bhagat: Under all the three agreements we have so far imported 800 million dollars worth of agricultural surplus. Unless we go in again for a large bulk, I do not think the amount under that head will increase. As for the exact rate of interest, that is given in the agreement itself.

Shri V. P. Nayar: May I know whether the attention of the Government has been drawn to an article written by Shri B. R. Shenoy in which it is stated that the wheat under PL 480 costs us 40 per cent. more than Australian wheat and the rice costs us more than 80 per cent. as compared to the prevailing price of rice in Burma?

Shri B. R. Bhagat: I have not seen that article. I am not in a position now to compare the two prices. If the hon. Member asks a specific question, I will look into it.

Shri B. K. Gaikwad: Are Government aware of the fact that the private business people always sell foodstuffs in the black market?

Shri B. R. Bhagat: We take ample precautions to restrict that practice.

Shri Chintamoni Panigrahi: May I know whether it is a fact that the same commodities which are supplied to India under PL 480 as free gifts are being sold in the market by certain interested persons?

Mr. Speaker: The same question was asked just now. The only thing is the hon. Member did not use the word "black market". But sold in the market also means in the black market.

Shri B. R. Bhagat: The only commodities which can be sold are cotton or tobacco or wheat as agreed under PL 480.

Carbonisation Plant in Andhra Pradesh

***1647. Shri Rami Reddy:** Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether any investigation has been made about the feasibility of setting up a Low Temperature Carbonisation Plant at Kothagudium in Andhra Pradesh;

(b) if so, the results of investigation;

(c) whether the views of the Singareni Collieries in the matter have been ascertained and if so, what are they; and

(d) what are the prospects of setting up a Low Temperature Carbonisation Plant in Andhra Pradesh?

The Minister of Steel Mines & Fuel (Sardar Swaran Singh): (a) and (b). The question was gone into by the Expert Committee set up by Govern-

ment under the chairmanship of the late Dr. J. C. Ghosh. The Committee recommended a plant at Kothagudium for the production of 0.38 million tons of soft coke, with recovery of by-products such as phenols, heavy diesel oil and road tar.

The Regional Research Laboratory at Hyderabad has also been carrying on investigations on a pilot scale on the low temperature carbonisation of Kothagudium and Tandur Coals.

(c) and (d). The Andhra Pradesh Government, who hold the majority interest in the Singareni Collieries Company Limited, have been in favour of setting up this plant. But no steps could be taken on this behalf due to paucity of capital resources during the current plan. The position is likely to be the same during the next plan also.

Shri Rami Reddy: In view of the fact that the products of the low temperature carbonisation plant are primary raw materials for some of the basic industries in India like dyestuffs, plastic etc. do the Government favour the setting up of low temperature carbonisation plants in places where the industries are not yet developed completely?

The Minister of Mines and Oil (Shri K. D. Malaviya): A low temperature carbonisation plant to produce soft coke was considered exhaustively at a time when our oil policy was not decided by the Government and they thought perhaps that a scheme for production of synthetic oil was necessary. Subsequent to that, the scheme of soft coke by low temperature carbonisation method was suspended mainly on account of the lack of resources. Recently the Working Group on Fuel has recommended again to the Planning Commission that such a scheme should be considered, but the Planning Commission has expressed its inability because of lack of resources.

Shri T. B. Vittal Rao: This project was included in the Second Period but could not be taken up for want of foreign exchange. At no time was it said that there were lack of resources. Why could it not be taken up during the Third Plan?

Shri K. D. Malaviya: So far as the technical examination of the question is concerned, I have submitted that it is a feasible scheme. With regard to the economics or availability of foreign exchange, that is another question. Now, perhaps the Third Plan is also finding it difficult to include such a scheme. It is not only the production of soft coke but other by-products which have the implication of more expenditure of money. So, considering the totality of circumstances, perhaps it is better to wait for a little more time when our foreign exchange and financial position improves.

Shri T. B. Vittal Rao: Are we to understand that all the projects relating to the Ministry of Steel, Mines and Fuel have been considered by the Planning Commission as to what are to be included in the Third Plan or not?

Shri K. D. Malaviya: Yes, they do receive consideration by the Planning Commission. Unless they give their concurrence or approval, those schemes of the Ministry of Steel, Mines and Fuel are not included in the Third Plan.

Shri T. B. Vittal Rao: Are Government aware of the fact that the Andhra Pradesh Government have included it in the proposals for the Third Plan?

Shri K. D. Malaviya: Yes, Sir. They have recommended the inclusion of this scheme in the Plan. But the Planning Commission has stated that it may not be possible to include that because of scarcity of funds. The Andhra Pradesh Government have included it and they have recommended it strongly but the Planning Commission is not agreeable to its inclusion.

Hindi University for South

*1648. **Shri Madhusudan Rao:** Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that the Central Government have given up the idea of establishing a Hindi University for South at Hyderabad; and

(b) if so, the reasons therefor?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). The Central Government have not considered the question of establishing a Hindi University for South at Hyderabad. I would, however, like to inform the House, and I think the House is already aware of it, that there was a proposal for the reconstitution of the Osmania University with Hindi as the medium of instruction. But since the Andhra Government are not willing to accept this proposal—in fact, they were opposed to it—this proposal was dropped.

श्री इ० मधुसूदन राव : क्या माननीय मंत्री जो यह बताने की कृपा करेंगे कि आंध्र सरकार ने दूसरी व्यवस्था करने के लिये जो दरख्वास्त की है, उस पर कोई विचार किया गया है ?

डा० का० ला० श्रीमाली आंध्र गवर्नमेंट ने यह कहा था कि वह कुछ बिल्डिंग्ज दो तीन साल के लिये दे देगी और कुछ जमीन वगैरह दे देगी। यह सहायता तो पर्याप्त नहीं है । अगर आंध्र गवर्नमेंट वाकई में वहां एक यूनिवर्सिटी स्थापित करने के लिये उत्सुक है, तो फिर उसको सब तरह की सुविधा देने के लिये तैयार रहना चाहिये और गवर्नमेंट इस पर पुनः विचार कर सकती है ।

श्री इ० मधुसूदन राव : अहिन्दी-भाषियों के लिये वहां पर यूनिवर्सिटी खोलने के लिये जो भी सहायता दी जा सकती है, स्टेट गवर्नमेंट वह दे रही है, तो केन्द्रीय सरकार उस पर क्यों ध्यान नहीं दे रही है ?

डा० का० ला० श्रीमाली : मैंने अभी आप से निवेदन किया कि केन्द्रीय सरकार तो उत्सुक है और इसी दृष्टि से उसने यह प्रस्ताव आंध्र गवर्नमेंट को रखा था, लेकिन उन्होंने मंजूर नहीं किया । यदि अब भी आंध्र गवर्नमेंट इस मामले में उत्सुक है और यदि वह इस मामले को फिर उठाये और पर्याप्त सहायता दे, तो सरकार अवश्य विचार करेगी ।

Shri S. R. Arumugham: One of the recommendations of the Siksha Samiti was to start Hindi teachers' training colleges in non-Hindi-speaking areas to develop as also to propagate Hindi. Why can the Government not start a Hindi teachers' training college in place of the university?

Dr. K. L. Shrimali: In regard to this matter also, though the question does not arise out of this, I would like to inform the hon. Member that we have written to all the non-Hindi-Speaking State Governments to set up Hindi training colleges. The Government have told them that we would give cent per cent assistance if they started Hindi training colleges in those areas. Some proposals have come to the Ministry but the information is not with me now. The proposals are being examined.

Shri Venkatasubbaiah: In view of the fact that propagation of Hindi is essential in South India, does the Government propose to set up a separate Hindi university in any one of the States in the South?

Dr. K. L. Shrimali: I have already answered that question. Government is sympathetic towards the proposal and will certainly consider if the Andhra Government are also enthusiastic about it.

Shri S. R. Arumugham: May I know whether there is any proposal before the Government to constitute the Dakshina Bharat Hindi Prachar Sabha as an institute of national importance?

Dr. K. L. Shrimali: Government have not received any formal proposal from the Sabha so far.

Shri Heda: One of the main objects of the proposed scheme for taking over Osmania University was to have a nucleus for spreading Hindi in the South. Short of taking over Osmania University are Government thinking of any other scheme through which they can spread Hindi in the South?

Dr. K. L. Shrimali: There are various schemes which are under operation at the present moment. As I said, one of our important schemes is to set up a regional Hindi training college in each area to meet the requirements of Hindi teachers in the secondary schools. The Government have promised to give cent per cent assistance for setting up these training colleges. With regard to the proposal from the Dakshina Bharat Hindi Prachar Sabha, I am not definite but probably some proposal may have come. I have in fact had some talk with Shri Satyanarayanji who is the Secretary of the Sabha. There was some discussion and some proposal may also have come. But I do no think any firm request has come fron the Sabha in this matter.

Shri Achar: May I know whether any consultations have taken place with the Mysore Government to have a training college or something of that kind for Hindi training?

Mr. Speaker: Is Hyderabad in Mysore State? Next question.

Flag of Political Party

*1649. **Shri Aurobindo Ghosal:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether the flag of any foreign State is retained by any political party of India; and

(b) if so, what is the name of that party?

The Minister of Home Affairs (Shri G. B. Pant): (a) and (b). Government are not aware of any political party in India having adopted the flag of a foreign State as its party flag.

Shri Aurobindo Ghosal: May I know if a flag of any political party of India has got any resemblance—not identical—with that of a foreign State?

Shri G. B. Pant: Resemblance is such an elastic expression that it is difficult to say that there is nothing that resembles something else. But there is nothing that is identical. That I can say.

Shri Vajpayee: May I know if at present Government have the power to ban the use of a foreign flag by a political party in India?

Shri G. B. Pant: There is no particular law on the subject, but if a foreign flag is treated in such a way as to indicate that the person is not loyal to the country, then it may be a question for consideration.

Shri Hem Barua: How to find it out?

श्री रघुनाथ सिंह : क्या मैं जान सकता हूं कि कम्यूनिस्ट पार्टी आफ इंडिया की रक्त-ध्वज को देख कर रूस की रक्त ध्वज का भ्रम उत्पन्न होता है ?

श्री गो० ब० पन्त : उसमें कुछ फर्क है। कम्यूनिस्ट गवर्नमेंट का—रशा का जो फ्लैग है, वह उससे डिफरेंट है कुछ हद तक। धोखा हो सकता है, मगर हैं वे अलग अलग।

Shri Supakar: May I know if there is such a great resemblance between the flag of the Muslim League and that of Pakistan so as to create confusion?

Shri G. B. Pant: Yes, there is a great deal of resemblance between the two. But still, people who are supposed to be careful in watching these things should notice that there is a difference between the two.

Shri Heda: May I know if the Government find any resemblance between the flag of the Swatantra Party and the American national flag?

Shri G. B. Pant: International flag? I do not exactly know what international flag is like, nor have I studied the Swatantra Party flag. If a flag has been designed, I do not know if it is going to be still born or if it will need any further scrutiny.

Coal Washery

*1650. **Shri Achar:** Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether Hindustan Steel Ltd., has placed an order for supply of a coal washery worth about two crores of rupees;

(b) whether this order was given after calling tenders; and

(c) if not, how the contract was negotiated and finalised?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) and (b). Yes, Sir.

(c) Does not arise.

Shri Raghunath Singh: May I know whether it is a fact that India is not self-sufficient so far as steel is concerned? If so, when we are not self-sufficient why are we exporting steel to foreign countries?

Shri Gajendra Prasad Sinha: Actually we are not exporting finished steel. We have made arrangements to export some semi-finished steel because though our open hearth furnaces are ready our rolling programme has not yet started. Because of this time lag between them naturally we have to dispose of the semi-finished product somewhere specially when we ourselves do not have the rolling capacity. I would like to add because there may be some apprehension that the re-rollers may roll it that it cannot be re-rolled even by the re-rollers. The capacity in this country for rolling the product of the blast furnaces in the public sector is very meagre.

Shri Raghunath Singh: May I know the quantity of steel that India intends to export to U.K.?

Shri Gajendra Prasad Sinha: Actually I have said that we are not going to export steel but semi-finished steel which we are exporting to U.K. We have made some arrangement to export nearabout 12,000 metric tons of basic grade pig iron to U.K., but not exactly steel.

Shri Hem Barua: In view of the fact that West Germany is herself a major producer of steel and she proposes to import steel slabs from our country, may I know whether this is linked up with any agreement on exchanging of commodities and with those exchanges?

Shri Gajendra Prasad Sinha: Yes, Sir. The hon. Member is correct to that extent that actually it will be slightly a barter deal.

Shri Sadhan Gupta: May I know how much foreign exchange we are expected to earn from the export of this semi-finshed steel?

The Minister of Mines and Oil (Shri K. D. Malaviya): So far as this semi-finished steel export to a particular firm is concerned, there is a history behind it. Hindustan Steel are now going to set up a transportation pipe mill and there is an agreement with the German firm to supply some pipes to us before we can manufacture our own. Under this agreement, in the early stages we have agreed to supply them some semi-finshed steel. Later on we shall be able to get these things produced here in our own pipe mill.

Shri S. R. Arumugham: The Parliamentary Secrtary has stated that India has no full capacity for rolling mills. So many applications were called for from Madras State for starting rolling mills, but no application was considerd, and no licence was also given. What was the reason for not giving licences to start rolling mills in the South? Not

only that. In the recent conference of the Hardware Merchants' Association, they have mentioned that steel is in short supply and that they are not able to get sufficient quantity. What are the reasons for all these things?

Shri K. D. Malaviya: The supplementary hardly arises out of this question.

Shri Gajendra Prasad Sinha: I would like to add that I was apprehensive of the misunderstanding, and therefore I said there was a difference between re-rollers and rollers. Actually, the production which we are going to export is not meant for being re-rolled. We have got over-capacity of re-rolling mills here. The Saksena Committee went extensively into this matter, and reported that for the time being there was no necessity. Even when we are working on one shift, the capacity is 7 million tons.

Coal Washery

*1651. **Shri Achar:** Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether Hindustan Steel Ltd., has placed an order for supply of a coal washery worth about two crores of rupees;

(b) whether this order was given after calling tenders; and

(c) if not, how the contract was negotiated and finalised?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) and (b). Yes, Sir.

(c) Does not arise.

Shri Achar: I understand this is a new type of machine, cyclone washing machine type, and that it is for the first time being introduced in India. May I know whether any expert advice was taken before ordering it; if so, who were our advisers?

Shri Gajendra Prasad Sinha: Actually, full advice was taken from our technical experts, but at present I am not able to say who the advisers for the purchase of this particular machine were.

Shri Achar: May I know if world tenders were colled for?

Shri Gajendra Prasad Sinha: Yes, Sir, world tenders were called, and there were so many tenders also.

Shri Kasliwal: May I know where this particular coal washery is proposed to be set up, and which particular steel plant it is going to serve?

Shri Gajendra Prasad Sinha: This is about the Bhojudih Washery, if I am right. The requirement of the washed coal for the Tata Iron and Steel Works at Jamshedpur is about 2·4 million tons, and their capacity for coal washing is 1·5 million tons. They need some additional washed coal, and therefore we have undertaken it.

Shri Supakar: If it is for Tata Steel, what have Hindustan Steel to do with ordering a coal washery? Will they supply the coal?

Shri Gajendra Prasad Sinha: Yes, Sir.

Sikkim Raffle

*1652. **Shri Hem Barua:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the provisions of the Indian Penal Code do not apply to Sikkim;

(b) if so, whether it is a fact that Indian nationals who have complained against the raffle run in Sikkim are advised to seek redress in Sikkim Courts; and

(c) if so, under what provisions of law the Sikkim raffle has been authorised by the Government here?

The Minister of Home Affairs (Shri G. B. Pant): (a) The provisions of

the Indian Penal Code have been adopted by the Sikkim Darbar.

(b) Persons complaining against the conduct of the H. R. Charities Fund Lottery, Sikkim, are advised to address their complaints to the Sikkim Darbar. Offences in relation to this Lottery are tdiable in Indian or Sikkim Courts depending on jurisdiction.

(c) Some State Governments have authorised the Lottery either under Section 294-A IPC or under their local laws.

Shri Hem Barua: In view of the fact that section 294-A of the Indian Penal Code, under which the lotteries are authorised, does not apply to Sikkim in general, may I know under what authority this has been allowed to continue? Is it not a fact that on a previous occasion the Home Ministry discontinued this raffle on this ground.

Shri G. B. Pant: The Home Ministry has not been generally in favour of launching such lotteries, but the Sikkim Lottery has been approved by the Bengal Government and also by the Bombay Government. When a lottery is approved by the State Government, the approval of the State Government is regarded as valid for the whole of India.

Shri Hem Barua: May I know whether it is a fact that on a previous occasion the Government wrote to the Maharajkumar of Sikkim to discontinue this * * * * *.

May I know whether it is a fact that on a previous occasion the Government wrote to the Maharjkumar of Sikkim to discontinue this raffle in this country, and that he replied to the effect that he could not do it because it benefited his exchequer to the tune of Rs. 72,000 a year? The Government of India wanted to compensate it with an increased grant, and that was also turned down. Why is it so?

Shri G. B. Pant: The correspondence between the Government of India and the Government of Sikkim, if any, must be of a confidential character.

Shri Hem Barua *rose—*

Mr. Speaker: I will not allow any more questions. He is not prepared to disclose, it is confidential.

Shri Hem Barua: This is a very important issue, and our exchequer is losing money. They are evading income-tax also, and there are agencies here.

Mr. Speaker: Order, order, Next question.

National Book Trust

*1653. **Dr. Ram Subhag Singh:** Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that some members of the National Book Trust have tendered their resignations;

(a) whether the Chairman of the Trust has also resigned;

(c) if so, the causes of their resignations;

(d) whether their resignations have been accepted; and

(e) what steps Government propose to take in the matter?

The Minister of Education (Dr. K. L. Shrimali): (a) to (e). The Chairman of the Trust has resigned in order to devote himself exclusively to the work of the University Grants Commission. His resignation has been accepted, and steps are being taken to appoint a suitable substitute. About a year ago, Shri Tendulkar had resigned for personal reasons and his place was filled up under rules.

Dr. Ram Subhag Singh: When did the Chairman of this National Book

*Expunged, as ordered by the Chair.

Trust resign, and when was his resignation accepted? What were the causes of his resignation apart from the fact he wanted to devote himself exclusively to the work of the University Grants Commission? Why was he appointed at all if it was his intention to devote himself exclusively to the work of the University Grants Commission?

Dr. K. L. Shrimali: The hon. Member has asked a number of questions.

Dr. Ram Subhag Singh: Because there is no time.

Dr. K. L. Shrimali: In 1959 the Chairman showed his keenness to be relieved of his duties with the National Book Trust so that he might devote himself exclusively to the work of the University Grants Commission. I had, however, requested him to carry on for some time, and he agreed to this. In early 1960 he again requested to be relieved of his duties with the Trust, and the resignation has been accepted. What was the other question which the hon. Member asked?

12 hrs.

Dr. Ram Subhag Singh: Has this Book Trust succeeded in publishing any national book so far, and if so, what are the names of those books?

Dr. K. L. Shrimali: I do not have that information with me at the present moment, because the hon. Member had asked this question only with regard to the chairman and the members. If he would give me notice of a separte question, I shall answer that.

Dr. Ram Subhag Singh: My point is that the members of this National Book Trust have been quarrelling so much that they have not succeeded in publishing any book worth the name.

Dr. K. L. Shrimali: That is not correct. There are occasional differences between members. I do not know from where the hon. Member has got the information that the members are quarrelling amongst themselves.

Shri Hem Barua: On a point of order. May I know whether the word 'quarrelling' could be used in respect of the members of this National Book Trust?

Mr. Speaker: The Question Hour is over.

Shri Raghunath Singh: May I ask one question?

Mr. Speaker: I am sorry.

Shri Raghunath Singh: May I know whether it is a fact that two more members have also resigned?

Mr. Speaker: I have disallowed the question already. I have disposed of the point of order. Nothing more remains now.

Shri Raghunath Singh: Two more members have also resigned.

Dr. Ram Subhag Singh: In all, three have resigned.

Mr. Speaker: Let them.

WRITTEN ANSWERS TO QUESTIONS

Post-Matric Scholarships to Scheduled Caste Students in Kerala

*1654. **Shri A. K. Gopalan:**
Shri Warior:

Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that post-Matric scholarship amounts due to Scheduled Caste and Scheduled Tribe students for the year 1959-60 have not been paid in the Kerala State as yet; and

(b) if so, what action the Scholarship Board has taken to expedite payments?

The Minister of Education (Dr. K. L. Shrimali): (a) No, Sir.

(b) Does not arise.

Wind Power

*1655. **Shri P. C. Borooah:** Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether it is a fact that the recent research conducted by the Council of Scientific and Industrial Research showed encouraging results for the utilisation of wind power in the country;

(b) if so, the places where wind as a source of energy would be available in the country;

(c) whether it is also a fact that a large number of wind mills will be established in the villages; and

(d) if so, the proposed number thereof?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Yes, Sir.

(b) Certain areas in Rajasthan, Saurashtra, Himalayan foothills, the west coast and in the extreme South may be suitable for utilisation of windpower.

(c) and (d). Two hundred pilot wind mills are proposed to be installed in the first instance.

Criteria for determining Backwardness

*1656. **Shri N. R. Muniswamy:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the Registrar General of India has expressed his inability to evolve a formula to classify Backward Classes;

(b) if so what steps are being taken to evolve some criteria for this purpose;

(c) whether the Backward Classes Commission's Report had not given exhaustive criteria to classify the Backward Classes on the basis of education and social status; and

(d) whether the States of Madras, Mysore and Andhra have objected to the elimination of caste from the census enumeration?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) The Registrar General of India was not entrusted with the work of evolving such a formula. He was asked only to conduct an *ad hoc* survey of the 1951 census data to enable the Government to evolve a practicable and workable criterion for determining "the other backward classes".

(b) The matter is under consideration.

(c) Yes. But criteria have not been accepted by the Government for the reasons explained in the memorandum presented to Parliament along with the report of the Backward Classes Commission on 3rd September, 1956.

(d) No.

Telugu Novel—'Narayana Rao'

*1657. **Shri Agadi:**
Shri Wodeyar:
Shri Sugandhi:

Will the Minister of Scientific Research and Cultural Affairs be pleased to refer to the reply given to Starred Question No. 856 on the 14th December, 1959 and state:

(a) whether the question of translating the Telugu Novel "Narayana Rao" into Oriya language has been decided; and

(b) if so, what is the decision?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) No, Sir.

(b) Does not arise.

Delhi Municipal Corporation

*1658. **Shri Ram Krishan Gupta:**
Shri D. C. Sharma:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 716 on the 1st December, 1959 and state:

(a) whether Government have examined the report of the Special Officer appointed to assess the financial resources of the Delhi Municipal Corporation; and

(b) if so, the result thereof?

The Minister of Home Affairs (Shri G. B. Pant): (a) and (b). A preliminary examination of the recommendations made in the report has been made and the comments of the other Ministries concerned have been obtained. A final decision in the matter will be taken shortly.

सशस्त्र सेनाओं के बारे में केन्द्रीय वेतन समिति की रिपोर्ट

*१६५९. **श्री भक्त दर्शन** : क्या प्रतिरक्षा मंत्री १६ फरवरी, १९६० के तारांकित प्रश्न संख्या १४८ के उत्तर के संबंध में यह बताने की कृपा करेंगे कि :

(क) सशस्त्र सेनाओं के बारे में केन्द्रीय वेतन समिति जो एक मास में अपनी रिपोर्ट देने वाली थी, क्या उसने इस बीच अपनी रिपो दे दी है ;

(ख) यदि हां, तो क्या उसकी एक प्रति सभा-पटल पर रखी जायेगी ; और

(ग) रिपोर्ट में की गई सिफारिशों को कार्यान्वित करने के लिये क्या कार्यवाही की जा रही है ?

प्रतिरक्षा मंत्री (श्री कृष्ण मेनन) : (क) जी, हां ।

(ख) यह प्रश्न अभी नहीं उठता, क्योंकि सरकार अभी रिपोर्ट पर विचार कर रही है ।

(ग) ज्योंही सरकार द्वारा रिपोर्ट का निरीक्षण सम्पूर्ण हुआ और विभिन्न सिफारिशों पर निर्णय लिये गये, आवश्यक आदेश जारी कर दिये जायेंगे ।

Geographical School Atlas

*1660. **Shri P. K. Deo:** Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether in 1956 it was proposed to publish an authoritative geographical school atlas by the Survey of India;

(b) if so, the steps taken in this regard; and

(c) when this school Atlas will be ready?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) Yes, Sir.

(b) Due to reorganisation of States and proposed change-over to metric system, collection of data for the Atlas commenced in 1957-58, compilation was completed in 1959 and the maps are now in various stages of drawing.

(c) In 1961.

Counterfeit Currency Notes

*1661. **Shri D. C. Sharma:**
Shri Raghunath Singh:
Shri Hem Raj:

Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that several thousand counterfeit notes of five-rupee denomination have been seized from two persons in Fatehabad, Hissar District;

(b) if so, the arrests made so far in this connection;

(c) whether the reported note-printing factory has been traced; and

(d) if so, the details thereof?

The Deputy Minister of Finance (Shri B. R. Bhagat): (a) 57 forged five-rupee notes are understood to have been seized from seven persons in Hissar District.

(b) Eight persons are understood to have been arrested in this connection.

(c) No note-printing factory has so far been traced.

(d) Does not arise.

Royalty on Minerals

*1662. **Dr. Ram Subhag Singh:**
Shri P. K. Deo:
Shri Aurobindo Ghosal:

Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether certain State Governments have requested the Government of India to raise the royalty payable to them for mining rights; and

(b) if so, whether Government have considered their request and taken any decision in the matter?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) Yes, Sir. The Governments of Rajasthan, Madras and Kerala had suggested increase in the rates of royalty on gypsum, magnesite and lime shell and quartz sand respectively.

(b) The Central Government has not been able to accept the proposals.

Puppet Shows

*1663. **Shri Aurobindo Ghosal:** Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether Government have any proposal to develop old folk recreational art of puppet show; and

(b) if so, the details thereof?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). The Sangeet Natak Akademi has been encouraging the development of puppetry through grants to organisations or institutions engaged in this task. This Ministry has also given a grant for the purpose to the Bharatiya Lok Kala Mandal, Udaipur.

Manufacture of Drilling Equipment

*1664. **Shri Ram Krishan Gupta:**
Shri Morarka:

Will the Minister of **Steel, Mines and Fuel** be pleased to refer to the reply given to Unstarred Question No. 708 on the 1st December, 1959 and state at what stage is the question of manufacturing drilling equipment in India?

The Minister of Mines and Oil (Shri K. D. Malaviya): A statement giving the required information is placed on the Table of the House.

STATEMENT

It is envisaged that the Heavy Machinery Building Plant being set up near Ranchi will undertake production of oil drilling equipment in the second stage. The preparatory work for setting up of this plant is in progress. The Oil and Natural Gas Commission have also set up a design and manufacturing cell. A few items of equipment have been fabricated locally. The Commission's existing workshop at Cambay is being expanded so as to undertake manufacture of other heavy equipment. Besides, Indian manufacturers have been contacted regarding the manufacture of derricks, elevators and casing pipes etc.

Foreign Tourists

2417. Shri D. C. Sharma: Will the Minister of **Home Affairs** be pleased to state:

(a) the number of foreigners to whom visas to visit India were issued during the first quarter of the year 1960; and

(b) the names of the countries to which these persons belong?

The Minister of Home Affairs (Shri G. B. Pant): (a) and (b). A state-

ment giving the information received so far, is laid on the Table of Lok Sabha. [*See* Appendix IV, annexure No. 50.]

State Buses in the Andamans

2418. **Shri Raghunath Singh:**
Sardar A. S. Saigal:

Will the Minister of **Home Affairs** be pleased to state:

(a) the number of State buses plying in the Andamans;

(b) their respective daily passenger-miles capacity and the actual average daily passenger-miles done; and

(c) their income and expenditure under broad heads from the 1st April, 1959 up-to-date?

The Minister of Home Affairs (Shri G. B. Pant): (a) Nine.

(b) Information is being collected and will be laid on the Table.

(c) For 1959-60, the income and expenditure was as follows:—

Income	Rs. 69,688
Expenditure:—	
(i) Under capital outlay	Rs. 75,415
(ii) Revenue expenditurte	Rs. 59,587

Medium Term Loans

2419. **Shri Shree Narayan Das:** Will the Minister of **Finance** be pleased to state:

(a) whether the question of relaxing present standards regarding medium term loans by the Reserve Bank of India to the Co-operative Institutions, has been considered by the Bank; and

(b) if so, with what result?

The Minister of Finance (Shri Morarji Desai): (a) and (b). The matter is under consideration of the Reserve Bank of India.

Learning Hindi

2420. **Shri Madhusudan Rao:** Will the Minister of **Home Affairs** be pleased to state:

(a) the number of Class I and II Officers who have learnt Hindi after the scheme of Hindi teaching was introduced in the Secretariat; and

(b) the number of such officers who are learning Hindi currently?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). The information is being collected and will be laid on the Table of the House.

Students' Delegation to Australia

2421. **Shri Madhusudan Rao:** Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether it is a fact that Government are going to send a delegation of students to Australia;

(b) if so, the names of persons who are chosen for the purpose and the Universities from which they come;

(c) when they are likely to leave and how many days they are going to stay in Australia; and

(d) how much expenditure is going to be borne and by whom?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). On an invitation by the National Union of Australian University Students the Indian Council for Cultural Relations has decided to send to Australia a delegation with the following membership.

1. Kumari Kuckoo Mathur.	Delhi University.
2. Kumari Meera Prasad.	Patna University.
3. Kumari P. Rizvi.	Delhi University.
4. Kumari Sakuntla Raman.	Andhra University.
5. Shri Ram Labhaya.	Delhi University.
6. Shri Shyam S. Sami.	Bombay University.
7. Shri T. Madan Mohan Row.	Marathwada University.

(c) The delegation is scheduled to leave India on 2nd May, 1960 and will stay there for a period of about six weeks.

(d) The Council will spend about Rs. 10,000 for meeting half the cost of international travel as well as full cost of travel within India. The balance of the cost of international travel is to be borne by the student and/or the University concerned. In Australia, the delegation will be the guests of the Union.

उत्तर प्रदेश में संस्कृत का प्रचार

२४२२. **श्री सरजू पांडेय** : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या गत वर्ष में भारत सरकार ने उत्तर प्रदेश सरकार को संस्कृत के प्रचार के लिये कोई अनुदान दिये हैं ;

(ख) यदि हां, तो कितनी राशि के ;

(ग) क्या उक्त राशि किसी शिक्षा संस्था को दी गई है ; और

(घ) यदि हां, तो उसका ब्योरा क्या है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली): (क) जी, नहीं ।

(ख) से (घ). प्रश्न नहीं उठते ।

Archaeological Survey in Uttar Pradesh

2423. Shri Sarju Pandey: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether any survey has been undertaken in Uttar Pradesh regarding ancient temples and places of archaeological and historical importance since 1948 up-to-date; and

(b) if so, with what result?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) The Union Department of Archaeology has undertaken village to village survey of antiquities, monuments etc. in the last quarter of 1957 as one of its projects under the Second Five Year Plan. The Survey is still in progress.

(b) The Survey has brought to light several old mosques, graves, tombs, temples, mounds, wells, sites etc. of archaeological interest.

Cultural Grants to Uttar Pradesh Organisations

2424. Shri Sarju Pandey: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) the names of organisations which were given grants for promotion of cultural activities in Uttar Pradesh State during the years 1958-59 and 1959-60 so far; and

(b) the amount sanctioned to each of them during the above period?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b).

1958-59

Name of organisation]	Amount Rs.
1. College of Indology, Banaras Hindu University, Banaras.	5,000
2. Allahabad University, Allahabad	6,000
3. Numismatic Society, Banaras	3,000
4. All-India Kashiraj Trust Banaras	5,000
5. Allahabad Literary and Cultural Association, Allahabad	25,000
6. Anjuman Taraqqi Urdu Hind, Aligarh	36,000
7. Tulsi Samark Foundation Ceremony Committee, Rajapur, Banda . . .	1,000

Name of organisation	Amount Rs.
8. Sangeet Nritya Kala Mandir, Aligarh.	500
1959-60.	
1. Numismatic Society, Banaras	13,000
2. All-India Kashiraj Trust, Banaras	5,000
3. Akbar Memorial Committee, Allahabad.	38,898
4. Syed Mohd. Mirza Mohazzab, Lucknow	5,000
5. Anjuman Taraqqi Urdu Hind, Aligarh.	51,000
6. Shri Bhagwat Das Misra, Ayodhya	600
7. All-India Maithili Sahitya Samiti, Allahabad	9,300
8. Bharat Kala Bhavan, Banaras Hindu University, Banaras	1,05,000
9. Allahabad Municipal Museum, Allahabad	45,000
10. Gurukula Museum, Hardwar	10,000
11. Bundel Khand Chatrashal Museum, Banda	2,500
12. Shibli Academy, Azamgarh	5,000

The above does not include grants given by the Akademis.

Welfare Extension Projects in Punjab

2425. Shri D. C. Sharma: Will the Minister of **Education** be pleased to state:

(a) the kind of welfare extension projects established in Punjab by the Central Social Welfare Board with Central assistance during 1959-60; and

(b) the location of these projects?

The Minister of Education (Dr. K. L. Shrimali): (a) Co-ordinated pattern.

(b) 1. Karnal (District Karnal)

2. Khul East (District Bhatinda).

Pardons and Remissions

2426. Shri D. C. Sharma: Will the Minister of **Home Affairs** be pleased to state the number of (i) murder cases and (ii) other cases in which pardons or remissions have been granted by the Central Government or the President during the period December, 1959 to April, 1960?

The Minister of State in the Ministry of Home Affairs (Shri Datar): Death sentence was commuted to imprisonment for life in the case of 23 prisoners and remission of punishment was granted in two cases, during the period from 1st December, 1959 to 19th April, 1960.

'Central Taxes in Delhi'

2427. Shri D. C. Sharma: Will the Minister of **Finance** be pleased to state:

(a) whether there was any fall in the collection of Central Taxes in Delhi durnig 1959-60; and

(b) if so, the reasons therefor?

The Minister of Finance (Shri Morarji Desai): (a) There was no fall in the collection of Central Taxes in Delhi during 1959-60 as compared to the collection during 1958-59.

(b) Does not arise.

Hall-cum-Auditoriums in Punjab

2428. Shri D. C. Sharma: Will the Minister of **Education** be pleased to state:

(a) whether under the campus work projects, applications have been received from educational institutions in Punjab for grants to construct hall-cum-auditoriums;

(b) if so, what amount has been allotted to Punjab for this purpose;

(c) the names of the institutions which have applied for such grants; and

(d) when they are going to receive these grants?

The Minister of Education (Dr. K. L. Shrimali) (a) Yes, Sir.

(b) No State-wise allocation of funds is made under the scheme.

(c) The following educational institutions in Punjab applied for grants for construction of Recreation Halls-cum-Auditoria during 1959-60:—

1. Mukand Lal National College, Yamunanagar.
2. Dyal Singh College, Karnal.
3. D.A.V. College, Amritsar.
4. M.D.A.S. High School, Moga.
5. Gaur Brahman Central High School, Rohtak.
6. B.H.R. (Rawalpindi) S. D. Higher Secondary School, Shankar.
7. S. D. Kumar Sabha Girls Higher Secondary School, Patiala.
8. Dev Samaj Girls High School, Rampuraphul.
9. Atma Ram Kumar Sabha Higher Secondary School, Patiala.

(d) An aggregate grant of Rs. 35,000 was approved for the Mukand Lal National College. Against this amount, a sum of Rs. 11,000 has been released as first instalment to the College. The application of D.A.V. College, Amritsar was rejected as it did not fulfil the conditions of grants. The applications from the remaining institutions are still under consideration.

Education of Girls in Jammu and Kashmir

2429. Shri D. C. Sharma: Will the Minister of **Education** be pleased to state:

(a) the amount allocated by Central Government for 1959-60 to the Government of Jammu & Kashmir for the education of girls; and

(b) whether the Government of Jammu and Kashmir had sought any amount for this purpose?

The Minister of Education (Dr. K. L. Shrimali): (a) A sum of Rs. 1.00 lakhs has been allocated under the Centrally Sponsored Scheme for expansion of girls' education and training of women teachers at the elementary stage.

(b) Yes, for Rs. 96,000 out of which administrative approval for Rs. 79,800 has been issued.

Merit-cum-Means Scholarships in Andhra Pradesh

2430. Shri Madhusudan Rao: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state the number of merit-cum-means scholarships allotted to each Technical Institute (with names) in Andhra Pradesh during 1959-60?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir):

Name of the Institution	Number of scholarships allotted
(a) First Degree courses:	
1. College of Engineering, Kakinada	9
2. College of Engineering, Anantapur	7
3. College of Engineering, Osmania University, Hyderabad	13
4. College of Engineering, Andhra University, Waltair	7
5. Department of Chemical Technology, Osmania University, Hyderabad	2
6. J.V.D. College of Science & Technology, Waltair	3
7. University College of Engineering, Tirupathi.	7
(b) Diploma Courses:	
8. Andhra Polytechnic, Kakinada	4
9. Attached Polytechnic to College of Engineering Anantapur	2
10. Government Polytechnic, Vizagapatam	3
11. Government Technical College, Hyderabad	5

Name of the Institution	Number of scholarships allotted
12. Government Polytechnic, Tirupathi	3
13. Government Polytechnic, Warangal	2
14. Hyderabad Polytechnic, Hyderabad	2
15. Vuyyuru Polytechnic, Vuyyuru	3
16. Mining Institute, Secunderabad	1
17. Mining Institute, Gudur	1
18. M.V.M. Polytechnic, Tanuku	2
19. Mahboobnagar Polytechnic, Mahboobnagar	2
20. Govt. Polytechnic, Proddathur	2
21. Govt. Polytechnic, Nizamabad	2
22. Krishna Devaraya Polytechnic, Wanaparthy	2
23. Ceramic Institute, Gudur	1
TOTAL	85

Theatre at Hyderabad

2431. Shri Madhusudan Rao: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to refer to the reply given to Unstarred Question No. 554 on the 29th February, 1960 and state the progress made in regard to the construction of a theatre at Hyderabad?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): The foundation stone of the theatre was laid on the 23rd March, 1960. The work is in progress and it is expected that the theatre will be ready for the Tagore Centenary in May 1961.

Playgrounds in Andhra Pradesh

2432. Shri Madhusudan Rao: Will the Minister of **Education** be pleased to state:

(a) whether the Central Government have sanctioned any sum for making playgrounds in the schools and colleges of Andhra Pradesh during 1959-60;

(b) if so, the total amount sanctioned during the period with break-up for each Institution|School; and

(c) the names of the Schools|Institutions benefited by this?

The Minister of Education (Dr. K. L. Shrimali): (a) to (c). The relevant information has already been furnished in the statement appended to Unstarred Question No. 2102 answered on 14-4-1960.

Social Welfare Extension Projects in Andhra Pradesh

2433. Shri Madhusudan Rao: Will the Minister of **Education** be pleased to state:

(a) the amount of Central Assistance given to Andhra Pradesh during 1959-60 for Social Welfare Extension Projects and for social and moral hygiene and after care programmes; and

(b) the number of Central Social Welfare Centres in the State (with names of places of their location)?

The Minister of Education (Dr. K. L. Shrimali): (a) Central assistance to the extent of Rs. 6,53,500 and Rs. 3,42,900 was given to Andhra Pradesh for the Social Welfare Extension Projects and for social and moral hygiene and after-care programmes respectively, during 1959-60.

(b) A statement is laid on the Table of the House. [*See* Appendix IV, annexure No. 51.]

Agricultural Colonies for Scheduled Castes and Scheduled Tribes

2434. Shri D. C. Sharma: Will the Minister of **Home Affairs** be pleased to state:

(a) the names of places where agricultural colonies were started for Scheduled Castes and Scheduled Tribes in the State of Uttar Pradesh in the years 1958-59 and 1959-60 under the centrally sponsored schemes;

(b) the names of places where they are proposed to be started in the year 1960-61;

(c) the amount of grant sanctioned by the Central Government for the

purpose for the years 1958-59, 1959-60 and 1960-61; and

(d) the amount actually spent in the years 1958-59 and 1959-60?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) to (d). There are no scheduled tribes in Uttar Pradesh and as such the question of starting agricultural colonies for them in that State does not arise.

As to scheduled castes, the required information has been called for from the State Government and will be laid on the Table of the Lok Sabha on receipt.

Report of the Coal Price Revision Committee

2435. **Shri Ram Krishan Gupta:**
Shri Aurobindo Ghosal:

Will the Minister of **Steel, Mines and Fuel** be pleased to refer to the reply given to Starred Question No. 461 on the 1st December, 1959 and state:

(a) whether the Coal Price Revision Committee has since submitted its supplementary report on the cost of production of coal in Andhra Pradesh and Assam;

(b) if so, whether Government have examined the same; and

(c) the nature of decision arrived at?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a). Yes.

(b) and (c). The Committee's recommendations in regard to Assam and Andhra Pradesh/Singareni) are shown in a statement laid on the Table. [*See* Appendix IV, annexure No. 52]

Students from the Laccadives

2436. **Shri Ram Krishan Gupta:** Will the Minister of **Education** be pleased to refer to the reply given to Unstarred Question No. 965 on the 4th December, 1959 and state:

(a) whether Government have investigated into the complaint of the students of the Laccadive Islands studying in Colleges in Malabar District, Kerala, regarding non-payment of scholarships and subsidies; and

(b) if so, the action taken in this regard?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). A complaint was received from certain students belonging to the Islands, who had failed in the final examination for the non-payment of scholarships for the months of April and May, 1959 by the Administrator. Under the scholarships rules, scholarships are granted for 12 months ending the 31st March. Scholarships for April and May are also sanctioned if the pupils continue their studies during the succeeding academic session, but no scholarship is paid for these two months to those who discontinue their regular studies due to failure or other reasons during the next academic session. As the complainants had failed in the final examination and were not persecuting their studies further in the next academic year, they were not entitled to the scholarships for these two months. As a special case, however, the Administrator has been asked to grant them subsistance allowance for these two months as they had to stay on the mainland during that period awaiting results of their examination.

Orders have also been issued that in future the scholarships should be granted for 12 months from 1st June, subject to the condition that stipends for April and May will be payable only when the students have to stay on the mainland during these two months.

Commonwealth Scholarships and Fellowships

2437. **Shri Ram Krishan Gupta:**
Shri Damani:

Will the Minister of **Education** be pleased to refer to the reply given to

Unstarred Question No. 950 on the 4th December, 1959 and state:

(a) whether the scheme of Commonwealth Scholarships and Fellowships has been finalised; and

(b) if so, the details thereof?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). A statement regarding the present position is placed on the Table of the House. [*See* Appendix IV, annexure No. 53.]

Delhi State Central Cooperative Stores

2438. **Shri Ram Krishan Gupta:**
Shri S. M. Banerjee:
Shri Bhakt Darshan:

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 119 on the 18th November, 1959 and state the nature of progress made so far in the completion of investigation in regard to complaints of irregularities in the accounts of Delhi State Central Cooperative Stores?

The Minister of Home Affairs (Shri G. B. Pant): Investigation in the matter has since been completed and the Inquiry Officer has made certain suggestions which have been commended to the Delhi Administration for implementation.

Service Cooperatives in Cantonments

2439. **Shri Ram Krishan Gupta:**
Shri D. C. Sharma:

Will the Minister of **Defence** be pleased to refer to the reply given to Unstarred Question No. 160 on the 18th November, 1959 and state:

(a) whether Government have since considered the proposal of encouraging the setting up of Service Co-operatives in Cantonment areas; and

(b) if so, the result thereof?

The Minister of Defence (Shri Krishna Menon): (a) and (b). The proposal referred to is still under consideration with the Ministry of Cooperation.

Free and Compulsory Primary Education

2440. **Shri Subodh Hansda:**
Shri R. C. Majhi:
Shri S. C. Samanta:

Will the Minister of **Education** be pleased to state:

(a) whether any comments or suggestions have been received from the State Governments on the four brochures (i) Teachers Training (ii) Primary Education Act in India (iii) Wastage and Stagnation and (iv) General Administrative Problems of free and compulsory education; and

(b) if so, the nature of suggestions or comments received?

The Minister of Education (Dr. K. L. Shrimali): (a). Yes, Sir. The comments from some State Governments and Union Territories have been received.

(b) The views contained in these replies are generally in support of the suggestions made by this Ministry in the four brochures.

Income-Tax Arrears

2441. **Shri Pangarkar:** Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that a large portion of arrears of income-tax is still outstanding;

(b) the total amount of income-tax arrears realised upto 31st January, 1960; and

(c) the amount still to be realised?

The Minister of Finance (Shri Morarji Desai): (a) to (c). The information is being collected and a statement giving the required information will be laid on the Table of the House as early as possible.

Aundha Nagnath Temple

2442. **Shri Pangarkar:** Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) the amount spent on the maintenance of Aundha Nagnath Temple, Aundha during 1959-60; and

(b) the amount proposed to be spent for the maintenance of the above temple during 1960-61?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) Rs. 1,119.

(b) Rs. 2,500.

Ellora Caves

2443. **Shri Pangarkar:** Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) the amount spent for the maintenance of Ellora caves during 1959-60; and

(b) the amount proposed to be spent for the maintenance of the above caves during 1960-61?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) Rs. 36,371.

(b) Rs. 57,000.

Chitorgarh Fort

2444. **Shri Pangarkar:** Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) the amount spent for the maintenance of Chitorgarh Fort during 1959-60; and

(b) the amount proposed to be spent for the maintenance of the above fort during 1960-61?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) Rs. 63,529.

(b) Rs. 90,000.

Ajanta Caves

2445. **Shri Pangarkar:** Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) the amount spent for the maintenance of Ajanta caves during 1959-60; and

(b) the amount proposed to be spent for the maintenance of the above caves during 1960-61?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) Rs. 28,876.

(b) Rs. 48,000.

Mining in Punjab

2446. **Shri D. C. Sharma:** Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether the Government of Punjab have approached the Government of India for any financial assistance to explore the mining prospects in the State;

(b) if so, whether any scheme has been forwarded by the Punjab Government; and

(c) the action taken thereon?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b). Yes, Sir.

(c) Government of India have agreed to offer the assistance.

कुतुब मीनार से आत्म हत्यायें

२४४७. { श्री विभूति मिश्र :
श्री रघुनाथ सिंह :

क्या **वैज्ञानिक अनुसंधान और सांस्कृतिक-कार्य** मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष १९५८, १९५९ और १९६० में फरवरी मास तक कितने व्यक्तियों ने कुतुब मीनार से कूद कर आत्म हत्या की ;

(ख) क्या सरकार कुतुब मीनार की चोटी पर जंगला लगाने का विचार कर रही है जिससे वहां से कोई व्यक्ति कूद न सके ; और

(ग) यदि हां, तो यह कब तक हो जायेगा ?

वैज्ञानिक अनुसंधान और सांस्कृतिक कार्य उपमंत्री (डा० म० मो० दास) : (क) चार :

(ख) जी नहीं। फिलहाल कुतुब मीनार की चोटी पर जंगला लगाने का कोई विचार नहीं है क्योंकि मीनार की चोटी पर पीतल और लोहे की रेलिंग पहले से ही लगी है । इसके अलावा आत्महत्यायें ज्यादातर नीचे की मंजिलों से कूदकर होती हैं । यह तय किया गया है कि अजमाइश के बतौर मीनार का सब से नीची मंजिल में एक ऊंचा कटघरा लगाया जाये पर यदि वह जमीन से देखने में ठीक न लगे तो उसे हटा दिया जाये ।

(ग) सवाल पैदा नहीं होता,पर उम्मीद है कि १९६०–६१ के मध्य तक अजमाइश के लिये यह कटघरा लगा दिया जायेगा ।

Ex-Servicemen

2448. **Shri Aurobindo Ghosal:** Will the Minister of **Defence** be pleased to state:

(a) what is the number of unemployed ex-servicemen at present;

(b) whether any scheme has been taken up for their re-settlement; and

(c) how many of them have been resettled in 1958-59?

The Minister of Defence (Shri Krishna Menon): (a) We do not have complete statistics of employment of all the ex-Servicemen who have been released year after year. 29,196 ex-Servicemen were however, on the registers of the Employment Exchanges at the end of December; 1959.

(b) **Yes, Sir.**

(c) 9,796

Naval Mutiny

2449. **Shri Aurobindo Ghosal:** Will the Minister of **Defence** be pleased to state:

(a) how many of the naval personnel who took part in the naval mutiny at Karachi in 1946 are out of employment;

(b) whether any of them has approached Government for resettlement or employment;

(c) if so, how many; and

(d) the action taken in that regard?

The Minister of Defence (Shri Krishna Menon): (a) The information is not available.

(b) to (d). A few petitions were received. The petitioners were informed of the Government's decision that they could not be reinstated in the Armed Forces but that there was no bar to their re-employment under Government in Civil employment, except where such dismissal was with disgrace.

Oil Strikes

2450. **Shri Bishwanath Roy:** Will the Minister of **Steel, Mines and Fuel** be pleased to state whether as a result of drilling operation oil has been struck in any test well in 1960?

The Minister of Mines and Oil (Shri K. D. Malaviya): Yes, Sir. Indications of oil and gas have been found in Test Wells No. 3, 4 and 5 in Cambay area.

Indian Students in U.S.A.

2451. **Shri Raghunath Singh:** Will the Minister of **Education** be pleased to state whether it is a fact that Indian students who have gone to the U.S.A. during 1958-59 and 1959-60 for study of business administration did not have any practical training before leaving India and have created a problem for the Universities and most of them did not want to return to India?

The Minister of Education (Dr. K. L. Shrimali): No such case has come to the notice of Government so far.

UNEF

2452. Shri Madhusudhan Rao: Will the Minister of **Defence** be pleased to refer to the reply given to Starred Question No. 259 on the 19th February, 1960 and state:

(a) whether the report of the court of enquiry appointed to investigate the causes of the accident involving two Indian soldiers of UNEF on the 5th January 1960 has since been received; and

(b) if so, what are the details in this regard?

The Minister of Defence (Shri Krishna Menon): (a) and (b). The proceedings of the Court of Inquiry have been received and are under examination. In the meantime the United Arab Republic authorities have been requested to take suitable steps to prevent recurrence of such accidents. All our drivers in the United Nations Emergency Force have also been informed to be careful at level crossings.

Unauthorised Constructions in Delhi

2453. Shri Ram Garib: Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government are aware that many people have raised unauthorised constructions in various localities in Delhi;

(b) if so, whether any survey has been made by Government in the areas known as Chandni Chowk, Pahari Dhiraj, Karol Bagh, Pahar Ganj and Bara Hindu Rao of Delhi in the past two years:

(c) in how many cases the constructions were demolished and the culprits penalized; and

(d) what penalty was awarded to them and whether it was realised from all?

The Minister of Home Affairs (Shri G. B. Pant): (a) Yes.

(b) The matter falls within the purview of the Municipal Corporation of Delhi who have special staff to frequently go round the various areas to detect unauthorised constructions. Where such constructions are in progress, notices under section 343 and 344 of the Delhi Municipal Corporation Act, 1957, are served on the builders and thereafter the constructions are demolished.

(c) and (d). The number of such constructions demolished in the various areas is as follows:—

Chandni Chowk	..	47
Pahari Dhiraj and Bara Hindu Rao	..	50
Karol Bagh	..	85
Pahar Gunj	..	30

No other penalty is imposed except that the demolition charges are recovered from the owners. Out of a total amount of Rs. 2,264 due as demolition charges, only a sum of Rs. 15 has been recovered so far. Necessary action is being taken by the Corporation to recover the balance.

Payments made in Indian Rupees

2454. Shri Morarka: Will the Minister of **Finance** be pleased to state:

(a) the total payments made in Indian rupees to foreign governments or foreign nationals in lieu of the loans received or interests thereon or for the purchase of agricultural commodities from U.S.A. under P.L. 480 and P.L. 665 and other industrial plant and machinery or technical know-how during the First and Second Five Year Plan periods;

(b) the names of such countries with the respective amounts; and

(c) the consideration for which the payment was made?

The Minister of Finance (Shri Morarji Desai): (a) to(c). A statement

is laid on the Table. [*See* Appendix IV, annexure No. 54.]

Visas for Indian Students to Study Chinese Language

2455. { **Shri Rameshwar Tantia:** / **Shri Pahadia:**

Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that Government selected four students to go to China to study Chinese language;

(b) whether it is also a fact that one of these students has been refused visa by the Chinese Embassy; and

(c) if so, what was the reason for this refusal?

The Minister of Education (Dr. K. L. Shrimali): (a) Government selected five students for study of Chinese language in China.

(b) One of the five students was refused visa by the Chinese Embassy.

(c) Government have no information.

Consumption of Steel

2456. Shri Shree Narayan Das: Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) what will be the *per capita* consumption of steel in India at the end of the Second Five Year Plan; and

(b) how does our present *per capita* consumption of steel compare with United Kingdom, U.S.A., U.S.S.R., West Germany and China?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) 19 lbs. or 18.61 kilograms*

(a) *Per Capita* consumption of steel

United Kingdom	372 Kilograms(@)	
United States of America	568 ,,	
West Germany	393 ,,	
U.S.S.R.	263 ,,	
China	8.8 ,,	

Source.—*Report (1960, of the Committee for Steel Demand Appraisal constituted by the National Council of Applied Economic Research, under the Chairmanship of Dr. P. S. Lokanathan.

†Statistical Year Book, 1958—United Nations Economic Commission.

Production of Mica in Andhra Pradesh

2457. Shri Madhusudan Rao: Will the Minister of **Steel, Mines and Fuel** be pleased to state the quantity of mica produced in Andhra Pradesh during 1958-59 and 1959-60?

The Minister of Mines and Oil (Shri K. D. Malaviya): The quantity of mica produced from Andhra Pradesh during the calender years 1958 and 1959 is as follows:

Year	Quantity (in Metric tons)
1958	5,198
1959	5,557

Steel Re-rolling mills in Andhra Pradesh

2458. Shri Rami Reddy: Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) the number of applications received for the setting up of steel re-rolling mills in Andhra Pradesh since the beginning of the Second Plan;

(b) the number of licences issued; and

(c) the number of steel re-rolling mills set up in the different States (State-wise) since the beginning of the Second Five Year Plan?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) 22.

(b) One.

(c) Of the four new units sanctioned—one each in Andhra, Assam, Bihar and Kerala—two (in (Andhra and Assam) have been installed. In

addition, one small unit in Assam has also been installed.

Banaras Hindu University

*2459. { **Dr. Ram Subhag Singh:** **Shri Khushwaqt Rai:**

Will the Minister of **Education** be pleased to state:

(a) whether the Uttar Pradesh Zamindari Abolition Bonds worth Rs. 688077·39 nP. were purchased during the period 24th August, 1956 to 24th April, 1958 by the Banaras Hindu University when Dr. V. S. Jha was Vice-Chancellor with the old Executive Council;

(b) whether the Uttar Pradesh Zamindari Abolition Bonds worth Rs. 890073·33 nP. were purchased by Banaras Hindu University with Dr. V. S. Jha as Vice-Chancellor with new Executive Council; and

(c) if so, what action is proposed to be taken against the authority responsible for this loss to the Banaras Hindu University?

The Minister of Education (Dr. K. L. Shrimali): (a) Uttar Pradesh Zamindari Abolition Bonds of the face value of Rs. 11,75,000 were purchased by the Banaras Hindu University at a cost of Rs. 4,83,100 during the period 24th August, 1956 to the 24th April, 1958 when Dr. V. S. Jha was the Vice-Chancellor with the old Executive Council.

(b) No bonds were purchased during the regime of the new, i.e., the present Executive Council with Dr. V. S. Jha as Vice-Chancellor.

(c) As a result of departmental inquiry into the transaction, the findings of which were embodied in the statement placed on the Table of the Lok Sabha on the 3rd March, 1960, a *prima facie* case has been established for further investigation and the same is proposed to be undertaken shortly.

Entry Permits to Nicobars

2460. { **Sardar A. S. Saigal:** **Shri Raghunath Singh:**

Will the Minister of **Home Affairs** be pleased to state:

(a) whether persons wishing to enter Nicobar Islands have to obtain entry permits from the Deputy Commissioner, Port Blair, under the Protection of Aboriginal Tribes Regulation;

(b) whether sometime back a large number of monopolist traders' employees were found in Nicobars without such entry permits; and

(c) if so, what action was taken against them?

The Minister of Home Affairs (Shri G. B. Pant): (a) Under the Andaman and Nicobar Islands (Protection of Aboriginal Tribes) Regulation, 1956, every person desiring to enter a reserved area in the Nicobar Islands must possess a pass issued by the Deputy Commissioner, Andaman and Nicobar Islands.

(b) and (c). Thirteen employees of Messrs R. Akoojee Jadwet and Company and 20 employees of the Car Nicobar Trading Company and the Nancowry Trading Company were arrested in November-December, 1959, for having entered the Nicobar Islands without obtaining the requisite pass. The arrested persons were produced before the Magistrate who released them on personal bonds. The investigations in these cases are going on.

Estate Duty

2461. { **Shri S. M. Banerjee:** **Shri Chintamoni Panigrahi:**

Will the Minister of **Finance** be pleased to state:

(a) whether huge amount pertaining to Estate Duty remains unrecovered;

(b) if so, what is the total amount on 1st February, 1960;

(c) the number of cases pending for settlement; and

(d) the steps taken for their expeditious settlement?

The Minister of Finance (Shri Morarji Desai): (a) and (b). No, Sir. The total amount of estate duty which was due for recovery but not recovered on 1st February, 1960 was only Rs. 121 lakhs.

(c) Assessments are pending in 3195 cases.

(d) On an average 8300 assessments are disposed of in a year and compared with this number, the pendency of 3195 is not much; but even so constant reviews are made of the pending cases by the assessing officers as well as the Controllers of Estate Duty and the Central Board of Revenue. The following provisions introduced in the Estate Duty (Amendment) Act, 1958, would also be of some help in reducing this pendency when the Amendment Act is brought into force:

(i) a provision has been made for the levy of interest in cases of extension of the time limit for submitting the statement of Account;

(ii) Grant of succession certificate by the Court has been made subject to the furnishing of a certificate from the Controller about payment of duty;

(iii) the Controller is empowered to make a provisional assessment on receipt of the Statement of Account without waiting for the completion of his investigations.

Secretaries etc. in Central Government

2462. Shri Harish Chandra Mathur: Will the Minister of **Home Affairs** be pleased to state:

(a) how many Secretaries, Additional Secretaries, Joint Secretaries and Officers of equivalent status are posted with the Central Government; and

(b) how many of them are governed by the Tenure Rule and for how many years they have been in Central Government and not reverted to their respective States or to field work?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). A statement is laid on the Table of the House. [*See* Appendix IV, annexure No. 55.]

Consumption of Petrol, Kerosene and Diesel Oil

2463. Shri Harish Chandra Mathur: Will the Minister of **Steel, Mines and Fuel** be pleased to lay a statement showing the total consumption of petrol, diesel oil and kerosene oil during each of the last 3 years?

The Minister of Mines and Oil (Shri K. D. Malaviya): The total consumption of Motor Spirit, Diesel Oils and Kerosene Oil during each of the last 3 years were approximately as under:

	Tons.
1957	3,567,000
1958	3,724,000
1959 ..	4,178,000

Strike by the State Bank Employees

2464. Shri Shree Narayan Das:
Shri Radha Raman:
Shrimati Minimata:
Shri Harish Chandra Mathur:

Will the Minister of **Finance** be pleased to state:

(a) the man-hours lost and financial loss sustained by the State Bank of India consequent on the recent strike of the employees of the Bank; and

(b) whether the employees who went on strike will be entitled to the payment of their salaries for the period during which they were on strike?

The Minister of Finance (Shri Morarji Desai): (a) 19,25,000 man hours were lost during the recent strike of the employees of the State Bank of India. No assessment of the loss sustained by the bank has, however, been made, as, apart from the time and labour which may be involved, no accurate estimate will really be possible.

(b) The State Bank of India does not intend to pay the employees who participated in the strike their salaries or any other emoluments for the period of the strike.

मध्य प्रदेश में आदिम जाति कल्याण केन्द्र

२४६५. श्री अमर सिंह डामर : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य प्रदेश के धार और झाबुआ जिलों में आदिम जातियों के लिये कितने सामुदायिक कल्याण केन्द्र चल रहे हैं ; और

(ख) जब से ये कल्याण केन्द्र स्थापित हुये हैं तब से इन में अध्ययन करने वाले सब छात्रों पर कुल कितना खर्च किया गया है ?

गृह-कार्य उपमंत्री (श्रीमती आल्वा) : (क) धार जिले में पांच और झाबुआ जिले में चार ।

(ख) राज्य सरकार से सूचना इकट्ठी की जा रही है और प्राप्त होने पर सदन की मेज पर रखी जायेगी ।

Iron Sheets Supplied to Andhra Pradesh

2466. Shri Madhusudan Rao: Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) the demand of iron sheets by Andhra Pradesh Government during 1959-60; and

(b) the extent to which the demand was met and the arrangements made by the Government to provide more iron sheets to Andhra Pradesh for various development projects?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). The demand, allotment and supply of iron sheets [Black sheets, Galvanised sheets (Plain) and Galvanised sheets (corrugated)] to Andhra Pradesh in 1959-60 are given below:

Demand		35,815 tons
Allotment	..	17,061 tons
Supply		1,602 tons

The reason for low despatch is that the anticipated level of indigenous production and imports on which allotments were based did not materialise. Imports of sheets are being arranged within the limited foreign exchange available. There will be however real relief in the supply position when the strip mill in Rourkela goes into production.

Income-tax Department

2467. Shri Radha Raman:
Shri Shree Narayan Das:
Shri Prakash Vir Shastri:

Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that a large number of cases are pending for disposal in Income-tax Department and huge demands are lying in arrears;

(b) if so, the measures taken or proposed to be taken; and

(c) the number of vacancies of Income-tax Officers existing on 15th March, 1960, and when they are likely to be filled up?

The Minister of Finance (Shri Morarji Desai): (a) The total number of Income-tax assessments pending for disposal as on 31st March, 1959 was 4,55,872 which represents, approximately, 28·8 per cent. of the total number of assessments for disposal during the financial year 1958-59.

The effective outstanding arrear demand of taxes as on 31-12-59 was Rs. 143·79 crores.

(b) Measures taken for expediting

disposal of assessments are indicated below:

(i) the number of Income-tax Officers as well as subordinate staff in the Income-tax Department has been considerably increased in recent years;

(ii) the progress of disposal of assessments by the Income-tax Officers is subjected to a monthly review by the superior administrative authorities and instructions and guidance are given to them with a view to achieving better results;

(iii) Income-tax Officers are required to give priority to the disposal of arrear assessments. Senior officers also give them guidance in the disposal of complicated assessments; and

(iv) certain selected circles at important places have been constituted into group charges under Inspecting Assistant Commissioners of Income-tax to provide the Income-tax officers with intensive guidance and supervision for achieving speedy disposal of assessments besides improving the quality of their work.

2. Steps taken for improving Collection of taxes are indicated in the annexed statement. [*See* Appendix IV, annexure No. 56].

(c) 77. These vacancies are likely to be filled in about a year's time.

Income-tax Assessment

2468. **Shrimati Renu Chakravartty:**
Shri Prabhat Kar:
Shri Tangamani:
Shrimati Parvathi Krishnan:

Will the Minister of **Finance** be pleased to state:

(a) whether income tax assessment of any Minister or Officer of the Government of India has been opened under section 34 of the Income Tax Act, during the last year; and

(b) if so, the reasons for the same?

The Minister of Finance (Shri Morarji Desai): (a) Necessary information is being collected and will be laid on the Table of the House in due course.

(b) In view of the provisions of section 54 of the Indian Income-tax Act, such information cannot be disclosed.

Post-Graduate Course in Journalism

2469. **Shri M. B. Thakore:** Will the Minister of **Education** be pleased to state:

(a) the names of the universities in India conducting examination in the post-Graduate Course in Journalism; and

(b) the number of students who obtained Degrees and Diplomas in the Journalism Course, University-wise, during the years 1956, 1957, 1958 and 1959?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). The information is being collected and will be placed on the Table of the Sabha as soon as available.

Houses constructed for Scheduled Castes and Scheduled Tribes in Kerala

2470. **Shri Kunhan:** Will the Minister of **Home Affairs** be pleased to state:

(a) the number of houses built in Kerala State with the assistance of Central Government for Scheduled Castes and Scheduled Tribes during each year from 1952 to 1959; and

(b) the amount sanctioned by Central Government for each year mentioned above?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) and (b). A statement showing the Central

assistance given and the number of houses constructed is laid on the Table. [*See* Appendix IV, annexure No. 57]. No central assistance was sanctioned for this purpose from 1952 to 1955-56.

Raid by Pakistani Outlaws

2471. Shri D. C. Sharma: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that 14 Pakistani outlaws armed with rifles, recently looted a mahajan's shop and made away with ten camels from Gumana Ka Talla area in the Chohtan Police Circle of Jodhpur district and returned to Pakistan;

(b) whether it is also a fact that Pakistani outlaws are reported to have, of late, become very active in the said area; and

(c) the steps taken or proposed to be taken in this regard?

The Minister of Home Affairs (Shri G. B. Pant): (a) On the night of 16/17th March, 1960, 14 armed Pakistani nationals raided village Gumana-ka-Talla in Indian territory and decamped with some property including 11 camels and two horses.

(b) No unusual activity has been noticed.

(c) Police vigilance is maintained and monthly meetings are held between Pakistani and Indian Police officials. The incident in question has been taken up by the local police officials with their Pakistani counterparts.

Stabbing Cases in Delhi

2472. Shri D. C. Sharma: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that stabbing cases in Delhi during 1959-60 were on the increase; and

(b) if so, the action taken to check them?

The Minister of Home Affairs (Shri G. B. Pant): (a) There was some increase in the number of stabbing cases in 1959 but the figures are showing a downward trend this year.

(b) The police are maintaining vigilance and have intensified patrolling.

मसीही साहित्य संस्था

२४७३. श्री वाजपेयी : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या दिल्ली में मसीही साहित्य संस्था के नाम से कोई संघटन कार्य कर रहा है ;

(ख) यदि हां, तो इसकी गतिविधियां क्या हैं ;

(ग) क्या इस संस्था को विदेशों से कोई आर्थिक सहायता मिलती है ;

(घ) यदि हां, तो अब तक कितनी सहायता मिली है और वह किस प्रकार खर्च की गई है ; और

(ङ) क्या इस में कई विदेशी राष्ट्रजन भी काम करते हैं ?

गृह-कार्य मंत्री (श्री गो० ब० पन्त) : (क) जी, हां ।

(ख) ये मुख्यत: मसीही साहित्य प्रकाशित करते और बांटते हैं ।

(ग) और (घ). सूचना प्राप्त नहीं है ।

(ङ) ऐसा ज्ञात हुआ है कि इसमें चार ब्रिटिश राष्ट्रजन कार्य करते हैं ।

Opium

2474. Shri Raghunath Singh: Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that 3 maunds of opium and more than one maund of other intoxicants were re-

covered at Jabalpur on the 2nd April, 1960; and

(b) if so, the details thereof?

The Minister of Finance (Shri Morarji Desai): (a) and (b). According to the information received from the Excise Commissioner Madhya Pradesh, no opium was seized at Jabalpur on the 2nd April, 1960, but three maunds and thirty seers bhang and ten seers ganja were seized.

हिमाचल प्रदेश की क्षेत्रीय परिषद्

२४७५. **श्री पद्म देव :** क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) हिमाचल प्रदेश की क्षेत्रीय परिषद् के कार्यालिका और अनुरचिवीय प्रशासन पर १९५९–६० में कितना व्यय हुआ ; और

(ख) हिमाचल प्रदेश के भूतपूर्व मंत्रिमंडल और विधान सभा पर १९५५–५६ में कितना व्यय हुआ था ?

गृह-कार्य मंत्री (श्री गो० ब० पन्त) : (क) हिमालय प्रदेश की कोई श्रेत्रीय परिषद् (Zonal Council) नहीं है । शायद माननीय सदस्य का तात्पर्य प्रादेशिक परिषद् (Territorial Council) है । हिमाचल प्रादेशिक परिषद् के कार्यपालिक और अनुरचिवीय प्रशासन पर १९५९–६० में ९.११ लाख रुपये खर्च हुये ।

(ख) ४.१४ लाख रुपये ।

School of Indian Languages in Delhi University

2476. Shri Madhusudan Rao: Will the Minister of **Education** be pleased to state:

(a) whether the Delhi University have approached Government for assistance to start a school of Indian languages; and

(b) if so, the action taken thereon?

The Minister of Education (Dr. K. L. Shrimali): (a) No, Sir.

(b) Does not arise.

Allotment of Soft Coke and Hard Coke to Punjab

2477. Shri Daljit Singh: Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) the quota of soft coke and hard coke allotted to Punjab during 1959-60;

(b) whether the Punjab Government had asked to increase this quota; and

(c) if so, the action taken thereon?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) The quota was 16,860 wagons for domestic purposes, small scale industries and engineering works, for which soft coke and hard coke are mainly supplied.

(b) No.

(c) Does not arise.

निवारक निरोध

२४७८. **श्री खुशवक्त राय :**
श्री अ० क० गोपाल
श्री स० मो० बनर्जी

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) निवारक निरोध अधिनियम की धारा ३(१) क की उपधारा १, २ और ३ के अन्तर्गत १९५९ और १९६० में अब तक कितने व्यक्ति नजरबन्द किये गये ; और

(ख) इस समय कितने व्यक्ति नजरबन्द हैं और किस किस उपधारा के अन्तर्गत ?

गृह-कार्य मंत्री (श्री गो० ब० पन्त) : (क) और (ख). दो विवरण पत्र, जिनमें आवश्यक सूचना सम्मिलित है सभा पटल पर रख दिये गये हैं । [देखिये परिशिष्ट ४, अनुबन्ध संख्या ५८]।

Tomb of Abul Fazal Near Agra

2479. { **Shri P. C. Borooah:** / **Shri P. K. Deo:**

Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether it is a fact that the site of the palaces and tombs of Abul Fazal, Faizi and their sister Ladli Begum were located by research workers at a distance of four miles north west of Agra; and

(b) if so, the details thereof?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) and (b). A low shapeless mass of rubble and concrete measuring 30' X 30' at a place called Mau near Agra is said to contain the tombs of Ladli Begum and her two brothers Faizi and Abul Fazal. This site, which was protected as early as 1918, is already on the list of protected monuments and is situated near the Seetla Temple which is about two miles North West of Agra.

Restricted Government Holidays

2480. Shri Ram Garib: Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government have taken any census as to how many Government employees in Delhi|New Delhi availed of the restricted holidays on the occasion of Shivratri and Holi, the 25th February, and 12th March, 1960 respectively; and

(b) whether it is a fact that more than 90 per cent. staff stayed away on both these occasions to celebrate the festivals?

The Minister of Home Affairs (Shri G. B. Pant): (a) No.

(b) There is no reason to believe so.

Iron Monuments

2481. Shri M. K. Ghosh: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) what is the earliest period when iron was found to be used in India and in what place;

(b) what are the archaeological monuments where iron has been detected; and

(c) whether it is non-corrosive in property?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) The earliest known occurrence of iron in India is in the upper levels of the painted grey ware period at Hastinapura and in the corresponding levels at Alamgirpur both in Meerut District of Uttar Pradesh. According to the available evidence these levels may be dated to 7th-8th Century B.C.

(b) and (c). It has been detected at all excavated sites dating from after the 7th-8th Century B.C. The iron pillar located in the premises of the Qutab and assignable to the 5th Century A.D., has been found to be non-corrosive.

Himalaya Bank Ltd., Kangra

2482. Shri Hem Raj: Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that the Punjab High Court have allowed for the functioning of the Himalaya Bank Ltd., Kangra;

(b) if so, when was that order made?

The Minister of Finance (Shri Morarji Desai): (a) and (b). The Punjab High Court sanctioned, on the 21st August, 1959, a scheme of arrangement between the bank and its creditors, which, *inter alia*, authorised the bank to start its normal banking business after it had obtained a licence from the Reserve Bank of India. The bank has since been

granted a conditional licence on 16th April, 1960.

Cars and Taxis

2483. Shri Assar: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that private cars and taxis are prohibited to travel in Indian territory near Goa border;

(b) if so, the reasons therefor;

(c) whether Government are aware that poor people and travellers are also very much harassed by Special Reserve Police on Goa border; and

(d) if so, whether Government have taken any action in the matter?

The Minister of Home Affairs (Shri G. B. Pant): (a) No; but public and private carriers have to obtain permits to ply within a five mile belt of the border.

(b) Does not arise.

(c) No such complaint has been received.

(d) Does not arise.

Scheduled Castes and Scheduled Tribes Commissioner's Visit to Punjab

2484. Shri D. C. Sharma: Will the Minister of **Home Affairs** be pleased to state:

(a) how many times the Commissioner for Scheduled Castes and Scheduled Tribes visited Punjab during 1959-60; and

(b) the places visited by him in that State?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) Five times.

(b) Pathankot (twice), Simla (twice), Dinanagar and Nilokheri.

Scheduled Castes and Scheduled Tribes Commissioner's Visit to Bombay

2485. Shri D. C. Sharma: Will the Minister of **Home Affairs** be pleased to state:

(a) how many times the Commissioner for Scheduled Castes and Scheduled Tribes visited Bombay during 1959-60; and

(b) the places visited by him in that State?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) Four times.

(b) Kosbad, Talasari, Talwada, Murbad, Pawan, Theronda, Ashagarh, Dahanu, Sutarpada, Bombay, Dohad, Khed Brahma, Poshina, Sanali, Shri Amirgadh, Chitrasani, Juni Reh alias Ramgadh, Doongarpura, Kanpura, Begadivas, Balaram Mahadev, Sukhasar Nanibhugadi, Deogarh Baria, Kathala, Baroda and Vyara.

Untouchability (Offences) Act

2486. Shri D. C. Sharma: Will the Minister of **Home Affairs** be pleased to state the number of persons who had been prosecuted in Delhi during 1960 so far under the Untouchability (Offences) Act, 1955 and have been acquitted?

The Minister of Home Affairs (Shri G. B. Pant): No person was prosecuted in Delhi under the Untouchability (Offences) Act, 1955, during the period 1-1-1960 to 31-3-1960.

Welfare of Scheduled Castes and Scheduled Tribes in Jammu and Kashmir

2487. Shri D. C. Sharma: Will the Minister of **Home Affairs** be pleased to state:

(a) the amount sanctioned so far under the Second Five Year Plan for the welfare of Scheduled Castes and Scheduled Tribes in Jammu and Kashmir State; and

(b) the amount spent so far out of these allocations?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) and (b). There are no Scheduled Tribes in Jammu and

Kashmir. Information regarding Welfare of Scheduled Castes is as follows:

Year	Amount sanctioned	Amount spent
	(Rs. in lakhs)	
1956-57 .	5·16	1·82
1957-58 .	2·35	1·92*
1958-59 .	5·81	5·34
1959-60 .	6·11	0·63 †

*Includes expenditure on Other Backward Classes also for which an expenditure of Rs. 1:60 lakhs had been sanctioned. Separate figures of expenditure for Scheduled Castes and Other Backward Classes have not yet been furnished by the State Government.

†Expenditure up to 30-11-59.

12.02 hrs.

PAPERS LAID ON THE TABLE

MADHYA PRADESH BHUDAN YAGNA BOARD (RECONSTITUTION) ORDER

The Minister of State in the Ministry of Home Affairs (Shri Datar): I beg to lay on the Table under sub-section (5) of section 4 of the Inter-State Corporations Act, 1957, a copy of the Madhya Pradesh Bhudan Yagna Board (Reconstitution) Order, 1960 published in Notification No. GSR 345 dated the 26th March, 1960. [*Placed in Library. See* No. LT-21/7/60.]

AMENDMENTS TO CUSTOMS AND CENTRAL EXCISE DUTIES DRAWBACK (GENERAL) RULES

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi): I beg to lay on the Table, under sub-section (4) of section 43B of the Sea Customs Act, 1878, and section 38 of the Central Excises and Salt Act, 1944, a copy of each of the following Notifications making certain further amendments to the Customs and Central Excise Duties Drawback (General) Rules, 1960:—

(i) GSR. 390, dated the 9th April, 1960.

(ii) GSR. 391, dated the 9th April, 1960.

(iii) GSR. 392, dated the 9th April, 1960. [*Placed in Library. See* No. LT-2118|69.]

PUBLIC ACCOUNTS COMMITTEE

TWENTY-EIGHTH REPORT

Shri Barman (Cooch-Bihar—Reserved—Sch. Castes): I beg to present the Twenty-Eighth Report of the Public Accounts Committee on the contract for supply of mechanical transport spares.

Shri Jaipal Singh (Ranchi West—Reserved—Sch. Tribes): In the light of what the Leader of the House and Dr. Ram Subhag Singh, said yesterday, may I request you to direct that the evidence recorded in connection with this report be also laid on the Table?

Mr. Speaker: I shall consider.

ESTIMATES COMMITTEE

EIGHTY-SEVENTH REPORT

Shri Dasappa (Bangalore): On the 18th December, 1958, the Speaker directed the Estimates Committee in the House to investigate the reasons for increasing the estimates on general service charges of the Rourkela Steel Plant.

I beg to present the Eighty-Seventh Report of the Estimates Committee on this matter referred to the committee.

12.04 hrs.

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

MURDER OF A POLICE OFFICER IN DELHI

Shri Assar (Ratnagiri): Under rule 197, I beg to call the attention of the Minister of Home Affairs to the following matter of urgent public importance and I request that he may make a statement thereon:

"The reported murder of a police officer in Delhi on April 11, 1960.".

The Minister of Home Affairs (Shri G. B. Pant): On the morning of the 11th April, 1960, a report was made at Police Station Paharganj that a dead body was lying in a pool of blood in front of the Nutan Marathi Higher Secondary School. On the basis of this information, a case under Section 302-IPC was registered and the Police rushed to the spot to investigate the matter. On reaching the scene, the Police identified the dead body as being that of Sampuran Singh, a Sub-Inspector of Police in the Delhi C.I.D. (Crime Branch) who was living in a quarter attached to the Paharganj Police Station. Several sharp-edged incised wounds were observed on the chest and upper part of the body and there was also a deep cut on the neck. A blood-stained knife having a blade about 3" long was found lying under the deceased's head. Some blood-stained bath room slippers were also recovered. Investigations are in progress.

2. It is a matter of regret that the life of S.I. Sampuran Singh who was attached to the Anti-Cheating Squad since 1957 and was reputed to be a good officer should have been put to an end by violent means in such tragic circumstances. The Inspector-General of Police, Delhi, has announced a reward of Rs. 500 for any information leading to the arrest of the accused.

3. The deceased's widow has been given some financial assistance as an immediate measure of relief.

Shri Vajpayee (Balrampur): Is it a fact that the persons who discovered the body in the morning and who went to the police station to report about the discovery of the dead body were detained by the police?.

Shri G. P. Pant: I have no report to that effect.

Shri Vajpayee: May I know whether the hon. Minister will make enquiries?

Shri G. B. Pant: They detained them just for purposes of interrogation and to find out if they knew more about it?

Shri Vajpayee: They were detained for the whole of the day; they were there at the police thana for the whole day.

Mr. Speaker: The hon. Minister will find out. The suggestion has been made.

Shri G. B. Pant: I shall make enquiries.

Mr. Speaker: Instead of waiting so long the hon. Member might have sent a letter already to the hon. Minister. Before he came to the House, he must have known this. Hon. Members need not hesitate to bring these matters to the notice of the hon. Minister. After all, it is their Government. They can always bring these matters to the notice of the hon. Minister who will certainly look into all this.

12.06 hrs.

BUSINESS OF THE HOUSE

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): With your permission, Sir, I rise to announce that Government Business in this House for the week commencing 25th April, will consist of:—

(1) Consideration of any item of business carried over from today's Order Paper.

(2) Consideration and passing of the following Bills—

The Estate Duty (Amendment) Bill,.....

Shri Hem Barua (Gauhati): The hon. Minister is reading very fast, faster than a jet plane.

Mr. Speaker: It will be laid on the Table.

Shri Satya Narayan Sinha: I shall read slowly.

....The Reserve Bank of India (Amendment) Bill, and

The Supreme Court (Number of Judges) Amendment Bill, as passed by Rajya Sabha.

(3) Consideration of motions for concurrence for reference of the following Bills to Joint Committees: ..

The Delhi Primary Education Bill, and

The Children Bill.

(4) Consideration and passing of the following Bills—

The Hindu Marriages (Validation of Proceedings) Bill, as passed by Rajya Sabha,

The Delhi Land Holding (Ceiling) Bill, as reported by Joint Committee,

The Manipur Land Revenue and Land Reforms Bill, as reported by Joint Committee, and

The Tripura Land Revenue and Land Reforms Bill, as reported by Joint Committee.

(5) Discussion on the following subjects will also come up at 3 P.M. on dates mentioned:—

(i) Annual Report on the Working and Administration of the Companies Act, 1956, for the year ended 31st March, 1959, laid on the Table of the House on the 25th March, 1960, on Monday the 25th April on a motion to be moved by Shri Badakumar Pratap Garga Deb Bamra and others;

(ii) Annual Report of the Hindustan Shipyard Limited for the year 1958-59 laid on the Table of the House on the 22nd March, 1960, on Tuesday, the 26th April on a motion to be moved by Shri T. C. N. Menon;

(iii) Annual Report of the National Mineral Development Corporation Private Limited for the period from the 15th November, 1958 to the 31st March, 1959, laid on the Table of the House on the 11th March, 1960, on Wednesday, the 27th April, on a motion to be moved by Shri Vidya Charan Shukla; and

(iv) Statement regarding the purchase of the Uttar Pradesh Zamindari Abolition Bonds by the Banars Hindu University, laid on the Table of the House on the 3rd March, 1960, on Thursday, the 28th April, on a motion to be moved by Shri Braj Raj Singh and others.

Shri B. K. Gaikwad (Nasik): On a point of information, may I know whether the Report of the Commissioner for Scheduled Castes and Scheduled Tribes, which has been presented some months back is not to be considered in this session? For, it is the practice that every year the report should be considered. If it is not considered this year, then, next time, there will be two reports for consideration at a time.

Shri Satya Narayan Sinha: There are still many more months left, and we shall consider it in the next session. It is not possible to do it in this session.

Shri Braj Raj Singh (Firozabad): May I submit a word? I had given notice of a motion which you have been pleased to admit as a no-day-yet-named motion, on the Sahara tests. Since it is of international importance,

we can through that motion, express ourselves on the tests which are being held there, not one, but two, that have been conducted there by the French Government. I should request you to find out some time to discuss that motion.

Shri S. L. Saksena (Maharajganj): I had also given notice of a motion to discuss the Tariff Commission's report on Sugar.

Shri Khushwaqt Rai (Kheri): I had also given notice of a motion....

Mr. Speaker: Hon. Members will notice that during five days we are having four no-day-yet-named motions in the next week. Almost every day, we are devoting two hours to these motions. Whatever remains, we shall certainly take up in the order of priority. Hon. Members who are interested in having their motions taken up earlier will kindly intimate to me and then I shall consider the relative importance of these and assign them to the various dates.

12.10 hrs.

RESERVE BANK OF INDIA (AMENDMENT) BILL*

The Minister of Finance (Shri Morarji Desai): Sir, I beg to move for leave to introduce a Bill further to amend the Reserve Bank of India Act, 1934.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Reserve Bank of India Act, 1934."

The motion was adopted.

Shri Morarji Desai: Sir, I introduce† the Bill.

12.11 hrs.

BUSINESS ADVISORY COMMITTEE

FIFTY-FIRST REPORT

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Sir, I beg to move:

"That this House agrees with the Fifty-first Report of the Business Advisory Committee presented to the House on the 21st April, 1960."

Mr. Speaker: Motion moved:

"That this House agrees with the Fifty-first Report of the Business Advisory Committee presented to the House on the 21st April, 1960."

Shri Khushwaqt Rai (Kheri): Sir, I beg to move:

That at the end of the motion the following be added:—

"subject to the modification that the time allotted to the Representation of the People (Amendment) Bill, 1960 be increased from 1 hour to 3 hours."

In this connection I would like to submit that this Bill is not a non-controversial Bill. It proposes to give a right which has been denied to certain people under the District Boards Act; this Bill proposes to give them a right of voting. The Members of the Opposition from U.P., all of them, are interested in taking part in the discussion. I would, therefore, request that the time allotted for this Bill may be extended to 3 hours—that is time for the consideration of this Bill.

Shri Braj Raj Singh (Firozabad): I also had given notice of an amendment to raise the time-limit to 3 hours.

On this subject there was an adjournment motion in the U.P. Assembly

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*Published in the Gazette of India Extraordinary Part II—Section 2 dated 22-4-1960.

†Introduced with the recommendation of the President.

[Shri Braj Raj Singh]

and the Speaker of the U.P. Assembly said that he was not authorised to have the matter discussed in the Assembly because the Election Commission was seized of the matter. The Election Commission has passed an order which is thoroughly unconstitutional. And, now, Government are coming to this House to get that power. The election would be held on the 24th of this month, day after tomorrow by giving authority to the Antarim Zila Parishads etc. They are giving voting rights to the District Magistrate, the S.D.M., the S.P. and other officers who are under the employment of Government. (*Interruptions*).

Mr. Speaker: We are concerned here only with the time. The hon. Member will kindly tell the House why more time is necessary. That is all.

Shri Braj Raj Singh: That is the reason, Sir. It is a very important matter.

The Deputy Minister of Law (Shri Hajarnavis): I have no objection if more time is given. My only prayer is that the matter may be disposed of today.

Shri Tyagi (Dehra Dun): Why?

Shri Hajarnavis: Because we are anxious that the Bill should be passed this session.

Shri Braj Raj Singh: Before the 24th?

Shri Hajarnavis: If possible, before the 24th.

Mr. Speaker: Let us see. How will it be possible if we give 3 hours? There is so much of other work, the Resolution on the Railway Convention Committee, and then the Discussion and Voting on Demands for Excess Grants (Railways), and then non-official work today. The only question now is whether 1 hour should be increased to 3 hours. The hon. Minister is willing; he has no objection to 3 hours finding that hon. Members want to have some discussion. The hon. Members from U.P. are under the impression that some powers are being given.....

Shri Rami Reddy (Cuddapah): Not only from U.P., but others from Andhra also, Sir.

Mr. Speaker: Therefore, the question is that one hour shall be extended to three hours. (*Interruptions*).

Shri Hajarnavis: I would make one prayer to the House and that is that we might go on sitting till we pass this Bill and then take up Private Members' Business.

Shri Tyagi: It will be wrong in principle. The hon. Minister is trying to regularise an irregularity of either the Election Commission or of the State Governments and for that purpose he wants the House to go on until we pass this Bill. We shall do it at our convenience. (*Interruptions*).

Mr. Speaker: We are not concerned with that matter now; let us see in the usual course.

Shri Braj Raj Singh: Sir, may I submit one word? The anxiety of the Law Minister seems to be that this Bill should be passed before the 24th.

Mr. Speaker: The simple point is that for this Bill the time shall be 3 hours instead of 1 hour. Now, I will put the amendment to the House. The amendment is for the extension of time for the consideration of the Representation of the People (Amendment) Bill, 1960 to 3 hours.

Shri Rami Reddy: We are not for extension of time but we want the Bill to be passed today because the Andhra Pradesh elections are coming up early next month.

Mr. Speaker: The question is:

That at the end of the motion the following be added:—

> "subject to the modification that the time allotted to the Representation of the People (Amendment) Bill, 1960 be increased from 1 hour to 3 hours."

The motion was adopted.

Mr. Speaker: I will now put the motion as amended. The question is:

"That this House agrees with the Fifty-first Report of the Business Advisory Committee presented to the House on the 21st April, 1960 subject to the modification that the time allotted to the Representation of the People (Amendment) Bill, 1960 be increased from 1 hour to 3 hours."

The motion was adopted.

12·17 hrs.

RESOLUTION RE: APPOINTMENT OF A COMMITTEE TO REVIEW RATE OF DIVIDEND PAYABLE BY RAILWAY UNDERTAKING TO GENERAL REVENUES.

The Minister of Railways (Shri Jagjivan Ram): Sir, I beg to move:—

"That this House resolves that:

(i) A Parliamentary Committee consisting of 12 Members of this House to be nominated by the Speaker be appointed to review the rate of dividend which is at present payable by the Railway undertaking to the General Revenues as well as other ancillary matters in connection with the Railway Finance *vis-a-vis* the General Finance and make recommendations thereon by the 30th November, 1960; and

(ii) that this House recommends to the Rajya Sabha to agree to associate six Members from that Sabha with the Committee and to communicate the names of the Members so appointed to this House."

Mr. Speaker: Motion moved:

"That this House resolves that:

(i) A Parliamentary Committee consisting of 12 Members of this House to be nominated by the Speaker be appointed to review the rate of dividend which is at present payable by the Railway undertaking to the General Revenues as well as other ancillary matters in connection with the Railway Finance *vis-a-vis* the General Finance and make recommendations thereon by the 30th November, 1960; and

(ii) that this House recommends to the Rajya Sabha to agree to associate six Members from that Sabha with the Committee and to communicate the names of the Members so appointed to this House."

Shri Naushir Bharucha.

Shri Naushir Bharucha (East Khandesh): Sir, I have given notice of an amendment; and I will explain the purpose of the amendment. My amendment is that in the Resolution, for the words—

"the Railway undertaking to the General Revenues as well as other ancillary matters in connection with the Railway Finance."

substitute:

"the Railway and other public utility undertakings where the capital is supplied by Government as well as other ancillary matters in connection with the finance of such public utility undertakings."

Mr. Speaker: Order, order. I have ruled that amendment out of order. I have already communicated the matter to the hon. Member. We have this Railway Convention Committee once in 5 years and this Convention fixes the rate of dividend to be paid and its recommendations are acted upon. But the hon. Member wants to include other public undertakings with Railways. That is an independent matter altogether.

[Mr. Speaker]

Shri Naushir Bharucha: I accept your ruling, Sir, But I would like to speak on the proposition.

Mr. Speaker: That he can do.

Shri Naushir Bharucha: So far as the Convention Committee of 1954 was concerned, it has been my impression that the work done by it, with all due respect to the Committee, was not quite satisfactory. In fact, I may say that several of the important questions were completely side-tracked by the Convention Committee and it is my purpose to direct the attention of the House to certain problems which will confront the new Convention Committee and which require very careful consideration.

Sir, the Convention Committee has to decide what will be the contribution payable by Railways to the General Revenues, what will be the percentage of such contribution, its relation to the capital-at-charge, what will be the capital structure of Railways; the question relating to the allocation to Depreciation Fund and the principles on which such allocations are to be made; the questions of character of the Development Fund and the Revenue Reserve Fund, and the purposes for which these Funds can be used, the rate of return on new loans, the question of losses on strategic lines, the question of amortisation, and the basis for classifying our projects as remunerative or unremunerative. These are some of the main problems which will come up before the committee and I regret to observe that the 1954 committee sidetracked some of the most important issues which I have mentioned and I shall point out how these issues have been sidetracked and I hope that the Committee which you, Sir, are going to appoint now will look into them more carefully. Above all, the basic issue to the consideration of all these questions, namely, whether the railway shall be regarded as a commercial concern or as a public utility concern with definite technical implications attached to it. These aspects also have been left untouched. The time has now come when the railway finances must be placed on a sound footing. In the first place, there is some confusion of thought as can be seen from the Railway Convention Committee Report of 1954 in the matter of what is meant by a commercial concern and what is meant by a public utility undertaking. As far as the expression 'public utility undertakings' is concerned, it has got certain definite technical meaning and I shall explain this as I proceed.

In the first place, the Railway Convention Committee of 1954 linked up the percentage of contribution payable to the general revenues to the capital-at-charge. It has laid down that it is desirable that the contribution should be expressed as a rate of the dividend in terms of the percentage on the capital-at-charge and the amount paid annually through a fixed rate of dividend inclusive of an element of interest. I submit that this basic recommendation is basically faulty. If we link the contribution payable to the revenues to the capital-at-charge, the general revenues will be deprived of a legitimate share in the surplus of the railways and in the profits which the railways make. Also the linking of the contribution to the capital-a-charge is indefensible, particularly in view of the fact that we have not laid down on what principles the structure of the capital-at-charge has to be determined.

So, the next Convention Committee should focus its attention on the principles for the determination of the capital structure of the railways. Nobody exactly knows, for instance, what is meant when the 1954 Committee talked of over-capitalisation in the railways? It is necessary that the principles for the determination of over-capitalisation should be laid down.

Coming to the question of depreciation which is closely linked to the

question of capital-at-charge, we find that the 1954 committee completely ignored the question of the prniciples on which depreciation has to be based. It will be observed that the committee recommended only a depreciation of about Rs. 35 crores. This determination of the amount of depreciation was completely arbitrary and completely in violation of the well-accepted regulations for the determination of the amount of depreciation. It is true that the hon. Railway Minister himself felt that the committee had erred on the side of too little depreciation and therefore decided to increase the depreciation from Rs. 35 crores to Rs. 45 crores. My submission is that even this amount of Rs. 45 crores is totally inadequate, apart from the fact whether it is fixed on any definite principles or not. Because, if we recollect that in the course of the Second Plan, the total expenditure on railways was to the tune of Rs. 1,125 crores and we should bear in mind the fact that a good part of it would be capital-at-charge. Bearing in mind the fact that the existing capital-at-charge is large enough, it will be found that Rs. 45 crores is too small a provision for depreciation. This depreciation of Rs. 45 crores is really intended to conceal the true condition of the railway finances which verges on bankruptcy because by reducing the depreciation to 20 crores they can even show a surplus of Rs. 25 crores more. My own impression is that even if we fix the depreciation on the basis of the straightline method and if we limit this method only for replacements of worn out assets on the basis of original cost, even then this Rs. 45 crores would fall short. So, the Convention Committee should look into the depreciation policy and determine what should be the principle on which depreciation should be determined. I recommend that the straightline method which is widely used should be accepted. Added to that, there should be some additional allowance made for the purpose of rehabilitation. This straightline method has got the advantage of simplicity and it will frequently avoid the revision of service life of assets. I regret to observe that the last convention committee did not apply its mind to the scientific principles and the new committee that is proposed to be appointed by you, Sir, should bear these facts in mind.

I was shocked when I read the convention committee report on the subject of amortization. The committee has observed that the amortisation would eventually be of benefit to the railways and the users of transport alike. They agreed with the Railway Board that the time was not ripe for amortisation and suggested that it should be taken up at the time of the next meeting of the convention. I am afraid that the commitee completely missed the meaning and the implication of "amortization". As applied in depreciation accounting, amortization is the method of charging capital cost of an asset to operating expenses only *after* the service life of the asset has been terminated. For the life of me, I cannot understand how this principle can at all be acccepted in the matter of railway finances. Resort to amortization is usually forced by the inadequacy of depreciation reserve to carry costs of retiring assets. But why should there be any shortage of depreciation reserve at all that you have to fall back upon amortization? Amortization can only be justified in cases where as a result of obsolescence due to scientific inventions or otherwise unforeseen or premature retirement of assets has to be undertaken. Only in such cases can amortization be permitted. I think this committee would deal with this matter very thoroughly.

Coming to the development fund and the railway reserve fund, still we are groping in the dark. I do not understand yet what is the purpose of the development fund. Whether the

[Shri Naushir Bharucha]

development fund is for the purpose of capital expenditure or it is for the purpose of major replacements, one does not know.

Now, I will take up the question relating to the opening of new lines where the capital-at-charge pays dividend at lesser rate. I submit that the concession given by the convention committee, namely, that for a block of five years the new line should not pay any contribution, has no justification at all and that convention must go and the general revenues should no longer be deprived of this amount.

Mr. Speaker: The hon. Member expects that within five years it will make enormous profits.

Shri Naushir Bharucha: I am not saying that, Sir. But what do the commercial concerns do? We do not give them relief from the payment of interest or other charges.

Mr. Speaker: I believe in the income-tax law some concession is shown to new companies for five years.

Shri Naushir Bharucha: Sir, the railways do not pay income-tax. They are not entitled to this concession.

So far as the loss on strategic lines is concerned, I submit that this should be debited wholly to the Defence Budget. That is another way of hiding Defence expenditure.

The main purpose of my speech is to indicate that for nearly 12-13 years after Independence, the most basic questions relating to the railway finances remain to be defined on a scientific basis. There is no justification for including all these concessions.

Sir, every year that this Convention exists it deprives the general revenues of its legitimate share of return on investment and it helps to create a bigger back-log of accrued depreciation. It camouflages the true financial position of the Railways and makes correction and rectification of the financial position very difficult as time passes.

While you, Sir, have been pleased to rule out of order, my amendment, not without justification, I do admit, but the fact remains that it is not only the Railways that his House has got to think of, but on similar lines we have to think about all undertakings. They are all escaping payment of their legitimate contribution to the General Revenues—the steel plants, the fertiliser plants, the penicillin plants and others.

Mr. Speaker: The hon. Member may move a resolution saying that they are all worthless commercial concerns, they must pay interest, they must pay a particular rate of dividend, they must pay income-tax etc. It is open to him to bring forward a resolution like that.

Shri Naushir Bharucha: I have given notice, Sir, of a No-day-yet-named motion. You have been pleased to admit it. I have said there that in all such concerns it is necessary to prescribe the financial principles to govern the capital structure, depreciation etc.

Mr. Speaker: It is not part of this.

Shri Naushir Bharucha: Not part of this.

Mr. Speaker: He ought not to make a speech on what he is going to move hereafter.

Shri Naushir Bharucha: That I will say later on. I am simply referring to it just now. It is not only the Railways who are escaping, all other commercial concerns are doing the same thing.

Mr. Speaker: I am afraid he is weakening his case. If, on the other hand, he refers to some other con-

cerns, some other public undertakings where all these contributions are made to the Exchequer he would be strengthening his case. He is saying that all the other concerns also do not pay.

Shri Naushir Bharucha: What do the steel plants pay?

Mr. Speaker: Very good. I shall call now Shri Vajpayee. I thought Shri Bharucha would raise the point—I do not want to create any new point—that whereas we do not create a separate Convention for the post offices as to what they ought to contribute—that is also both a commercial and public utility service—and we started this Convention long before the Constitution was passed, after the passing of the Constitution all money must be kept in the Consolidated Fund. We can, of course, discuss these matters in the Budget separately, in compartments, it is only a question of apportioning of time. I thought Shri Bharucha, with all the care that he is taking, would refer to the question whether after the adoption of the Constitution we can have a Convention saying that we shall take only this, year after year the appropriation must not come straightaway, whether under the Constitution it is open at all to have a Convention of this kind etc. I do not want to create any trouble (*Interruption*).

Shri Naushir Bharucha: Sir, I must say that I have looked into the constitutional aspect, and I am inclined to believe that so far as the Constitution is concerned this Parliament as the supreme body can say that the Railways will pay so much, the post offices will pay so much etc. These are all questions of policy.

Mr. Speaker: Year after year we can say, but is it open to us to say for five years at a stretch?

Shri Naushir Bharucha: It is a matter of contract between the Government and this department—an internal arrangement.

Mr. Speaker: Shri Vajpayee.

श्री वाजपेयी (बलरामपुर) : अध्यक्ष महोदय, मेरा सुझाव है कि यह जो नई समिति बनी है, वह गम्भीरता से इस बात पर विचार करे कि रेलवे से प्राप्त होने वाले लाभ का जितना अंश जनरल रेवेन्यूज को दिया जाता है, क्या उसमें कुछ कमी करने का समय नहीं आ गया है। अनेक वर्षों से रेलवे बजट के द्वारा जो रेलवे की आर्थिक स्थिति हमारे सामने आती है, उससे यह पता लगता है कि रेलवे अपनी शक्ति से बाहर जा कर जनरल रेवेन्यूज को कुछ काट्रीब्यूट कर रही है। वह कांट्रीब्यूट करे, इसमें तो कोई आपत्ति नहीं है और रेलवे अधिक से अधिक लाभ कमाये, यह भी ठीक है, लेकिन विचारणीय प्रश्न यह है कि क्या रेलवे अपनी आवश्यकताओं की ओर ध्यान न देकर और यात्रियों और रेलवे कर्मचारियों की सुविधाओं में कमी कर के, या उन्हें पर्याप्त सुविधायें न देकर जनरल रेवेन्यूज में इतना कांट्रीब्यूशन दे, जो रेलवे की शक्ति के बाहर है। पिछले साल रेलवे को नेट रेवेन्यू ७५.६० लाख रुपये था, जिसमें से ५४.४१ लाख रुपया जेनरल रेवेन्यूज की भेंट कर दिया गया और रेलवे के पास जो बैलेंस बचा, वह २१.१९ लाख रुपये का था। एक ओर तो रेलवे जेनरल रेवेन्यूज में अपना योगदान देती है और दूसरी ओर फिर उसी जेनरल रेवेन्यूज में से अपने डेवेलपमेंट फंड के लिये कर्जा लेती है। यह स्थिति मेरी समझ में नहीं आती। और डेवेलपमेंट फंड शून्य है, वह माइनस है। इस साल के बजट भाषण में भी रेलवे मंत्री ने जेनरल रेवेन्यूज से कुछ और कर्जा लेने की बात कही है और उन्होंने उसके कारण भी बताये। मैं समझता हूं कि वे कारण ठीक हैं। जब रेलवे के डेवेलपमेंट फंड में रुपया नहीं होता, तो उस का सीधा सा नतीजा यह होता है कि पैसेंजर एमिनिटीज और वैलफेयर एक्टिविटीज कम कर दी जाती हैं। और इस लिये समस्या यह है कि रेलवे कामर्शियल बेसिस पर चले या पब्लिक युटिलिटी सर्विस की तरह से चले। यह तो सब को स्वीकार करना पड़ेगा कि रेलवे का प्रमुख

[श्री वाजपेयी]

उत्तरदायित्व अपने यात्रियों और कर्मचारियों की सुविधाओं का ध्यान रखना है । यदि उन सुविधाओं को देकर रेलवे जेनरेल रेवेन्यूज़ में अपना योगदान दे सकती है, तो उसका बड़ा स्वागत किया जायेगा, लेकिन पिछले साल के बजट में भी यह बात ध्यान में आई और इस बार भी आ रही है कि डेवेलपमेंट फंड में रुपया न होने की वजह से पैसेंजर एमिनिटीज़ और वैलफेयर एक्टिविटीज कम की जाती हैं । मैं समझता हूं कि यह स्थिति अच्छी नहीं है । रेलवे अपनी शक्ति से अधिक जाकर जेनरेल रेवेन्यूज़ में योगदान दे और फिर अपनी आवश्यकताओं की पूर्ति के लिये उसी जेनरेल रेवेन्यूज़ से कर्जा ले, मैं समझता हूं कि यह विचित्र स्थिति खत्म होनी चाहिये और इस का एक ही तरीका है कि रेलवे जो कांट्रीब्यशन देती है, उसको कम करने पर यह समिति विचार करे । अभी चार परसेंट कांट्रीब्यूशन दिया जा रहा है और मैं अनुभव करता हूं कि यह कांट्रीब्यशन तीन परसेंट होना चाहिये । अपने यात्रियों और कर्मचारियों की सुविधाओं को पूर्ण रूप से उपलब्ध करके, अपनी एफिशेंसी बढ़ा कर, अधिक यात्री ले जाकर, अधिक माल ढो कर यदि रेलवे अपना फायदा बढ़ाती है और उसमें से जेनरेल रेवेन्यज़ में कांट्रीब्यूशन करती है, तो किसी को आपित्त नहीं हो सकती है । लेकिन अपनी शक्ति के बाहर जाकर जेनरेल रेवेन्यूज़ को कांट्रीब्यट करके और फिर अपने डेवेलपमेंट फंड के लिये उसी जेनरेल रेवेन्यूज में से कर्जा लेना, यह तो शीर्षासन की स्थिति है, जो समझ के बाहर है । मैं समझता हूं कि इस स्थिति को समाप्त करने का समय आ गया है और यह जो समिति बन रही है, वह इस संबंध में गम्भीरता से विचार करे, इस बात की आवश्यकता है ।

Mr. Speaker: Shri T. B. Vittal Rao. Will not the report of the Convention Committee come back to the House?

Shri Jagjivan Ram: Yes, Sir.

Mr. Speaker: Then we can have a discussion; of course, hon. Members can make suggestions now.

Shri T. B. Vittal Rao (Khammam): Mr. Speaker, Sir, when the hon. Minister moved the resolution for adoption by this House I thought he would be able to tell us something as to how this Convention Committee's recommendations have worked during the course of the last five years, whether he has been able to implement all the recommendations made by the last Convention Committee, if he has been able to implement what progress has been achieved, if he has not been able to implement the recommendations made what were the grounds etc. All this information should have been given. Unfortunately, he just moved the resolution without giving these facts.

I might, Sir, straightaway point out one of the recommendations made by the Convention Committee—Recommendation No. 3. With regard to this even the Indian Railway Enquiry Committee went into the question of over-capitalisation, and they said that Rs. 100 crores of over-capitalisation for which no tangible assets existed must either be written off or something should be done. The last Railway Convention Committee also went into this question. Sir, you were the Chairman of the last Railway Convention Committee, and the recommendation made therein was:

> "The element of over-capitalisation should be precisely assessed by the Railway Board and on that portion of the loan capital, the Railways shall pay the dividend at the rate equivalent to the average borrowing rate charged by the Government of India to the commercial departments from year to year."

I have been raising this question as to how far it has been implemented. For three years I pursued it, after the report. They said that they were having some discussions with the Finance Ministry and that they hoped to finalise it. To what extent it has been finalised and to what extent it has been done, I do not know.

Then there is another question which arises, and that is whether the railways should be run either purely as a public utility service or as a commercial undertaking. If this question is decided, the point raised by my hon. friend Shri Naushir Bharucha whether the depreciation should be charged on a straight line basis or a vertical basis does not arise. First, let us see how the railways have to fulfil certain tasks. If the railways are to run purely as a public utility service, then certain things arise. If the railways are not run as a public utility service, then we have to consider the fact that the railways are carrying so many materials for the defence services and they do not pay the full price charged for them: they pay only certain concessional charges and that factor has to be taken into account.

The railways have been carrying coal for a pretty long period of years at a rate which is less than the direct cost of haulage. Why they should do so? It was done so that coal may be given to industries in order that new factories may be set up. So, this concession was specially given for the industrialists of our country. Now, after giving all these concessions, the question of strategic railways arises. Though the loss in the working of strategic railways is not much, at one time that was also a considerable amount. If we take all these factors into consideration, we will have to come to the conclusion that the railways have to be run purely as a public utility service and not as a commercial undertaking. I hope the Convention Committee will recommend again that the railways should be run purely as a public utility service.

Mr. Speaker: Even then, is not interest to be paid on the loans?

Shri T. B. Vittal Rao: It should be paid to some extent, whatever the Committee decides.

Then I come to depreciation reserves. At one time we were paying only 1|80th of the total capital investment. Then it was raised to 1|60th and subsequently an *ad hoc* amount was fixed which was Rs. 30 crores per year. Subsequently, the last Convention Committee put it at Rs. 35 crores but the Minister arbitrarily raised it to Rs. 45 crores. That means, that particular recommendation of the Convention Committee was not adhered to in practice.

One welcome change in this matter is that the period of the Convention, the period for which it has to be in force, has been made to synchronise with the period of the Plan. That is a very welcome change.

With regard to the rate of interest, I have to say a few words. This dividend at the rate of four per cent. cuts into the development aspect of the whole railway problem, because, when they pay an interest at the rate of four per cent. the surplus that will be left will be less and when the surplus is less, they will get very little accretion to the development fund. Therefore, the development works have to be curtailed on account of the rate of interest. Having given to the general revenues so many concessions like the military tariff rate and other concessions, why should we pay this four per cent. rate of interest? If it is possible, we should be able to reduce it to less than four per cent. I hope that the Convention Committee which will be appointed will give some thought to this aspect.

An Hon. Member: They are not paying income-tax also.

Shri T. B. Vittal Rao: Yes; the railways are not paying income-tax. If it is worked purely on a commercial basis, then you will realise how much the Defence Ministry will have to pay to the Railway Ministry and how much the industry will have to pay. I may cite one example here. The railways are carrying coal from Bihar and Bengal to South India. They are spending freight charges to the extent of Rs. 2 crores in addition. If the

[Shri T. B. Vittal Rao]

industrialists are to get the coal carried by the railways, they are not to pay much, and the industrialists in the south are getting coal carried by the railways on freight charges which work to far less than the freight charges by ships which will be higher otherwise. That way, the railways are put to an additional expenditure of Rs. 2 crores. That is counted as a sort of subsidy by the Government of India, to the industries. So, that factor has also to be taken into consideration.

Then the Railway Convention Committee which is to be appointed should give serious thought to one aspect, namely, whether the passenger fares and the railway freights could be raised during the period of five years. The railways influence the economy of our country. The railways are the lifeline of economy of the country. Therefore, it is very necessary that this proposal should be considered, namely whether the freight charges and the passenger fares could be raised within the period of five years. I find that during the last period when the Convention was in force,—it was for a period of six years—the railway freights were raised twice or thrice and the passenger fares were also raised. Further, a tax on passenger fares was also imposed. Even if there is an extra expenditure involved like the increase in the price of coal and other things, I would earnestly suggest that we should draw a little from the revenue reserves. We have built up a revenue reserve. If there is a little loss, and if we are not able to make it up, we could draw a little from the revenue reserve for a certain period. That question should also be gone into. The question that there should not be any freight increase or any increase in passenger fares during the period of the Convention should be gone into by the new Convention Committee.

Then I come to another aspect, and that is about the paying of interest on the capital investment on new constructions.

Mr. Speaker: One Convention follows the other. Where is the interregnum? If there is a need to increase the fares, where is the interregnum when the fares could be increased? One Convention follows closely the other one. If fares have to be increased at all, where is the time when they could be increased? I think the hon. Member wanted to say that the question of increasing the fares, in view of the Railway Convention and the allocation to various funds, may be discussed here and let them come to the conclusion whether increase in fares in the future is necessary or not. If they say it is not necessary let it not be increased. That is what the hon. Member wants.

Shri T. B. Vittal Rao: Yes. They could wait for five years. Then I come to the question of capital investment on new constructions. This question was worrying me for sometime, and I have been giving to it some thought. Whenever we ask for developmental work, we are told that it is not remunerative. I do not know how and on what basis the calculations are made. The calculations are not given to us. The last Convention Committee went into this question very thoroughly and said that during the period of construction, the interest shall not be paid, and during the period of five years following, they shall not pay interest, but that all these arrears of interest will be paid subsequently.

Mr. Speaker: Only after working; after it starts.

Shri T. B. Vittal Rao: Yes. Take a typical example; take the construction of the Khandwa-Hingoli railway link. It started in the year 1953. I am not aware and I do not know when this link is going to be completed. It was originally scheduled to be completed by 1958. It went on to 1959 and now we are in 1960. I do not know when the whole line will be opened. I think a little more than half of the total mileage has been opened to traffic so far. It has gone on from 1953 to 1960,

about eight years. It will take five more years, making a total of thirteen years, and so to make up for the arrears of all these thirteen years will be difficult. We should have a firm policy that during the period of construction we shall not pay any interest on the capital and the payment of interest will start only after five years are over after the construction.

Then, again, to make up for the expenditure that has been incurred on the new construction, a different policy has been laid down. Now on the new railway lines the charges will be on an inflated mileage basis. I fail to understand why a person has to be going on paying this inflated mileage, until what period we do not know. We do not know how long the inflated mileage will be charged on the new constructions. Therefore, a definite principle has to be laid down that during the period of construction no interest shall accrue to the general revenues.

I may, in passing, refer to the controversy that has arisen on the developmental work. A long article was written by one of the correspondents in *The Hindu* regarding new railway lines and the prospects in the Third Plan period. The Chief Ministers of Andhra, Mysore, Madras and Kerala were dissatisfied that no new railway lines will be taken up during the Third Plan period. The correspondent had given, from his own point of view, so many examples as to how some unremunerative lines were taken up and remunerative lines were not taken up. Then there was a rejoinder from the Railway Board very recently about two or three days ago. I have read both the articles. I think the original article by the correspondent was more convincing. The reply that has been given by the Public Relations Officer of the Railway Board does not at all convince anybody, because the stand taken by the Railway Board does not seem to be tenable.

It is stated that during the Third Plan period only 1,200 miles of new construction will be taken up. During the Second Plan period a specific sum of Rs. 66 crores was allocated for new constructions for a definite length of 842 miles. Now we find that while the amount has been spent fully the new constructions have not come up to even 50 per cent. So, there is going to be a spill-over to the Third Plan from the Second Plan to the extent of 600 miles. Then, another 300 miles have to be constructed for the development of the Dandakaranya project as also for transporting iron ore from Baladilla to the port for export to Japan. Another 300 miles have to be constructed for mineral development, making a total of 1,200 miles. Therefore, during the Third Plan there is not going to be a single rail link all over the south. If the Planning Commission says that only 1200 miles of lines can be constructed during the Third Plan, it comes to that, that in the south there would not be any new railway line.

An Hon. Member. Not even doubling.

Shri T. B. Vittal Rao: Then the selection of railway lines is not being done properly.

Mr. Speaker: Is this the occasion to refer to all that? I am also interested in the South. But am I to allow discussion on things which are not relevant now?

Shri T. B. Vittal Rao: This discussion relates to the development fund also.

Mr. Speaker: That is all right. But what ought to be developed is not the subject matter of discussion here. We have here to decide how much is to be paid to the general revenues. How allocations are to be made to the various funds and how the funds are to be utilized, whether in the north or south, east or west, that is not a matter under discussion here. The hon. Member could have raised it during the discussion on the Demands for Grants of the railways.

Shri T. B. Vittal Rao: I am saying that their finances are used like this.

Mr. Speaker: But we cannot go into that question now.

Shri T. B. Vittal Rao: Then it is all right.

Mr. Speaker: We cannot refer to a particular line in the north or south in this debate.

Shri T. B. Vittal Rao: I am not raising any south and north controversy. I am saying that in the south there would not be any development if they construct only 1,200 miles. I have not posed the problem between the north and south.

Mr. Speaker: I am not accusing the hon. Member at all. But if I allow one hon. Member to refer to one particular line in the South, other hon. Members who are interested in other lines will go on utilising this debate not for the purpose of showing what allocation has to be made, but for demanding what particular lines are to be opened up. I do not want that to happen.

Shri Rami Reddy: The half-an-hour discussion was postponed twice. That is why he is referring to this.

Mr. Speaker: I will try to look into it.

Shri T. B. Vittal Rao: Now we are paying a dividend of 4 per cent. Whether we should go in for loans for the development of railways at a higher rate of interest is the question. We are now taking loans from the World Bank at a very exorbitant rate of interest of 5-3|4 to 6 per cent. Then why are we restricting this dividend to 4 per cent. of the capital invested? Is it because the railways could pay only this much? In that connection, I would like to know whether taking loans from the World Bank at a higher rate of interest like 5 or 6 per cent. is advisable. I am told that some negotiations are going on and they are going to be finalised soon. I will ask the Minister.....

Mr. Speaker: I am afraid, that is also not relevant. Loans are taken at a higher rate of interest, not because the Government or the railways are willing to pay more but because money is not available otherwise.

Shri T. B. Vittal Rao: I hope the Convention Committee which is going to be appointed will go into all these questions thoroughly and see that a proper recommendation is made.

Shri S. L. Saksena (Maharajganj): The railways is the biggest nationalised commercial undertaking and we are proud of it. But a criticism is made against the railways that although the amount invested on railways is about Rs. 1,500 crores the working of the railways does not bring profits which may be accruing if it were a private concern. I am all for nationalisation, I am all for including all the key industries in the nationalisation programme. But I do want that our nationalised commercial undertakings are run more efficiently and they should not be less efficient than the private concerns. If a private capitalist says that if he were in charge of the railways he would be able to give the country double the amount of income that is being earned by the railways, then that is a slur on our Govenment and its efficiency.

My feeling is, that this undertaking is being run in a manner which does not give us the largest amount of benefit which it should, because the amount of wastage in the railways is too much. Actually, it should have shown a better result than private undertakings because on account of being a nationalised undertaking, it is free from income-tax. That is one advantage and reason why it should be more efficient.

I had been to the Soviet Union, China and several European countries and I have seen how nationalised undertakings are working I have found that most of the money for planning in those countries comes from these undertakings. In fact, every factory there, every national concern there, gives a large amount of its income, which is cre-

dited to the new plans. A point was raised by Shri Vittal Rao that the making of increased profits by these concerns does not mean that they should contribute more to the national Exchequer. I think that, being the biggest national undertaking in the country, they should be able to give the biggest national dividend also. That dividend should be used for financing the Plan, even though it may be used for the betterment of the Railways themselves. But there should be a very big income from the Railways to the Public Exchequer.

13 hrs.

What I feel is that the way in which they are managed does not yield a large amount of income. One reason for this is that. If the finances of the Railways were so divided that we could see how much income has been from there, then I think we will be able to judge and will be able to know whether they are more efficient or not.

It has been said that there is a loss on certain railways. Then that should be put down separately. The loss should go to the different departments. It is also said that they also give concessions to the industrialists. That also should be given separately. But as a business concern the Railways should tell us how much profits they have made. A concern with a capital of Rs. 1,500 crores should be able to give to the country a much higher yield than it is giving today. Therefore I personally feel that the present dividend of 4 per cent is not sufficient. The Railways being the biggest undertaking must give much more income. You yourself borrow money at 6 per cent interest from the World Bank and you give only 4 per cent to the exchequer. That I think is not good business.

I can understand that Railways are and should be a public utility undertaking. But with all that is should be a more efficient undertaking. That is only possible when it is able to compete with the private sector on all fours. Let it have all those things also, but being a nationalised concern it will have many more advantages still. Then we shall be able to judge how much it can give us. A new concern should therefore see that by giving some pampered treatment to the Railways we are not making them more inefficient. It should be a public utility concern. It should look to the primary interests of the people. But at the same time it should yield to the country revenues which could be utilised for financing bigger and bigger national development plans. That money may be given to the Railways themselves so that we may not again borrow from the Fund etc. But it must be more efficient.

I find many things where money is being wasted. In my own district of Gorakhpur there was a very fine tile floor in the first-class waiting room. All those tiles were broken open and the floor was made of mosaic. What is the use of that? Simply, some contractor must find work and profits. Such things are being done in the Railways on a large scale. Similarly, in catering I have found poor contractors who used to earn enough but today when they made it their own concern they are losing. So this is a way of wasting money.

I think if the Railways are made to pay income-tax and are also made to subscribe to other things as private concerns do, then we will be able to judge whether they are really working efficiently or not. Then, they should be able to pay to the General Revenues the proper amount of interest or contribution which should be commensurate with the amount of investment which is made there. I think pampered treatment to Railways will not make them efficient. Let us, I think, look into that.

Shri Achar.. (Mangalore): Mr. Speaker, Sir, I wish to make a few observations for the consideration of

[Shri Achar]

for the consideration of our hon. Minister and for pressing those pleas before the Committee. The hon. Speaker just before me and other hon. Members also have touched upon most of the important aspects but I would like to say about one or two aspects which I consider as most important.

The question whether the Railways should be considered as a utility service or as a commercial service, probably may be a technical matter. But more than the technical side of it I would like to emphasise that it should be considered more as a utility service. The commercial aspect may be there.

Now let us see how the railways have been considered in other countries also. For example, take the instance of England. I am told that the railways there are run at a loss and the Government contributes to them. Here we have been pressing that the rate of interest should be increased and that a higher rate must be paid by them. You were also pleased to ask a question whether interest should not be paid at all. I am not saying that interest and dividend should not be contributed to the Government. But we have to consider the more important aspect of the question, that is the utility side of it.

It is a monopoly. No doubt large amounts have been invested on railways. It is therefore natural that the Government should expect some return in some form or some interest. But why should we separate the Railways alone? We have got other means of communications. We have got roads. And what an amount has been invested in this country on roads? Right from the panchayat district boards, municipalities, State Governments and the Central Government to the Central Road Fund how much money has been invested? Is the Government or are the local governments or the panchayat boards expecting any interest on that? Let us take the airlines. That is also a means of communication, nothing more than that though they may be meant more for the rich. We are losing year after year.....

Shri T. B. Vittal Rao: Is not cess on road collected?

Shri Achar: Is it in comparison with the interest that is being paid by the Railways for so many decades? Let us take that into consideration. There were certain private limited companies in our country.....

Mr. Speaker: From where are we to pay? If our concern is worked on a subsidy, from where is the money to be found?

Shri Achar: There should be a system of taxation. It is a section of the public that is utilising the railways. If you want money for the Government to run anything you must have taxation for the purpose and not utilise any utilitarian service for taxing the people. You are not taxing the general public for that purpose. You are taxing only a certain set of persons who are travelling.

Ch. Ranbir Singh (Rohtak): What about the investment that we have made?

Shri Achar: Investments have been made on roads also. I have pointed that out. Not only that, investments have been made on airlines also.

Shri Tyagi (Dehra Dun): But goods also come.

Shri Achar: Goods also come. I do not want to deny that. If goods come, no doubt, I would say goods must be charged. Every item of goods must be charged. I would submit to the hon. Railway Minister that coal must be charged which is like any other item of goods.

Shri Naushir Bharucha: He is very willing.

Shri Achar: If the Government want to give any subsidy, let it be given directly. Let things be not done unseen. Let us clearly show how much the industrialists are benefiting out of it. If some concession is given —naturally for the development of the coun ry it is necessary—why should the Railways suffer for it? The Government should bear it.

What I say is that the Railways are just like the airlines, roads or other means of communication or any utility service and the Railways should not be made an instrument of taxation. If we consider the several private limited companies which were running these railways, we will find what an amount of profit they were making on the capital they had invested. They not only realised the interest but also probably the capital was realised. No doubt, all those limited companies have now merged in the Government, but the railway-using public had paid for it. I am not urging that no interest should be charged. I am not at all going to that extent. What I am submitting is that so far as the Railways are concerned, they should be considered as a utility service and from that point of view the whole administration must be carried on.

No doubt, in the earlier stages several lines had been opened in several parts of the country. I am not urging, as you have already ruled, any particular line or any particular thing. On that we have raised half-an-hour discussions and on other occasions we have raised it. But the point I am urging is only this that if it is a utility service it should not be looked at as if it is a machinery for collecting money as a form of taxation. In some parts of the country we find that there are new lines and doubling of the lines. If you take the railway map, it will be quite clear to anybody how, for example, railway lines have spread from Calcutta to Amritsar, or if you take Bombay, on the northern side of Bombay and Kutch and all that how many railway lines are there.

Shri Thirumala Rao (Kakinada): Not round about Mangalore.

Shri Achar: In other parts of the country you have no railway line at all. If it is a utility service they should not be neglected. For that purpose, if from the Railway funds a large amount is not taken away, considerable amount will remain with the Company—it is not a company now, of course; it is our own Government concern. There will be sufficient funds for developing the lines everywhere.

In the past we had no plans or anything of the kind. Wherever people had the necessity and it was advantageous they had the lines. But now when we ask for lines in other places, all sorts of objections are raised. In some cases we are told, there is no port and so no railway. In other places, as Shri Vittal Rao pointed out, it is said it would not be a profitable proposition. So, the most important aspect is that the railways are a utility service and should be administered for the benefit of the people.

Shri N. R. Muniswamy (Vellore): It has become a commercial concern now.

Shri Achar: My hon. friend says it is a commercial concern. I do not think even the Railway Minister will say it is a purely commercial concern, I am sure about that. It is clear that if it is not entirely utilitarian, at least certainly it is not commercial.

Dr. M. S. Aney (Nagpur): May I just remind the hon. Member that when the railway finances were separated from the general finances, the understanding of the Government and the Members of the House was that the railways must be run as a commercial concern, and that at the same time it shou'd endeavour to be a utility concern as far as possible. That must be borne in mind. It was to be considered a commercial concern, and the House has the right to see that it is run as a commercial concern and on

[Dr. M. S. Aney]

profitable lines. I want to know whether and when this policy was given up by this House and the question reopened.

Shri Achar: I conceded the point at the very outset that we need not go into an academic discussion as to whether it is a commercial or a utility concern.

An Hon. Member: It is both.

Shri Achar: Probably it is more on the side of being a utility concern, but certainly it is not a concern for making profit to the Government. For instance, we know that the catering department is run on a no-profit no-loss basis.

13·12 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

Shri Warior (Trichur): No profit and no loss to the consumers or to the Government?

Shri Achar: The Government which is running the railways.

Mr. Deputy-Speaker: Shri Warior wants there should be fare-free railways now!

Shri Achar: It will be very good if we can reach that stage, but compared to developed countries in the Continent or America, we are in a very backward condition. We cannot change it in one day. For instance, the speed is 100 to 150 miles I am told in the U.S.A. and even in the Continent it is 100 miles, and they have noiseless trains too. All that is happening because whatever the railways earn is utilised for the development of the railways. But here, on account of many factors, the railways do not get the necessary income because of the subsidy paid with regard to coal and other items. If the railways get it, their earnings will be much more, and they can be utilised for developing the railway system.

In some parts of the country we have areas where for a hundred miles or more there are no railways, and there are people who have not even seen a train. For instance, Mercara in my constituency is 90 miles from any station. This is happening because Government is treating the railways as a milch cow, going on getting as much income as possible from them. If at all, some interest may be charged, but nothing more than that. If coal or food or anything is carried at a lower rate, the difference must be paid to the railways. No doubt the railways should not be run at a loss, but they should not be treated as a concern by which the Government can tax the people. The railway travelling public or the goods carried by the railways should not be considered a source of taxation. Why should that particular class of people utilising the railways be taxed and that income taken by the Government? If the Government wants to tax, let it do so in other ways. Let it allow the subsidy to coal and other items, but reimburse the railways.

The Convention Committee should consider this aspect because railways are one of the most important utility services, and also, fortunately or unfortunately, a monopoly. That being the situation, I submit as low a rate as possible should be taken from the railways by the Government.

Shri Narasimhan (Krishnagiri): I want to draw the attention of the House to one matter which I consider to be important and relevant in this context. It is the case of the dismantled lines.

Railway lines dismantled during the Second War were of the order of 800 miles. Half of it has been restored, and the other half is awaiting restoration. What is relevant in this context is that the dismantled lines are not all completely lost. Though the lines are lost, the tracks are there, the bridges, station buildings etc., and

with a little amount of engineering effort, the lines can be restored. But the buildings etc., have fallen into disuse, though in some cases they might have been used or let out for some purpose. In most cases, the tiles, timber etc., were stolen from these places. The railways left the area, leaving the people in the locality to do whatever they liked with the property. Though a large amount has been lost in this way, what is left, and can be considered dead capital, that is to say the capital on these 400 miles of track, can be converted into live capital again. Therefore, while the Committee address themselves to the evaluation of the total capital of the railways, this failure of the railways to act in restoring the lines, and the earning capacity of the lines when restored, should also be taken into consideration.

Incidentally I would say that the railways would do well to restore these lines not only physically, but, as I said, restore life to the dead capital and make it live capital.

Shri D. C. Sharma (Gurdaspur): I think the most pressing need for this Convention Committee is to simplify the finances of the railways. Unless that is done, I think there is going to be a great deal of confusion so far as the finances are concerned at different levels.

I have seen a great deal of confusion between two things, and I think the whole confusion with regard to railway finances arises from that fact. It is this: are the railways a public utility service, or are they a commercial service? I believe that the Committee should once and for all decide if it is within its power, I think it should be within its power, whether we are going to treat the railways as a public utility service or as a commercial service. If that question is resolved, I think most of the problems to which hon. Members have referred can be straightened out. I applied my mind to some extent to this problem, and I believe that the time has gone when we should have looked upon the railways as a public utility service; the railways in their infancy, the railways in their adolescence, the railways in their adulthood could have been taken like that, but, now, the railways have acquired a kind of maturity.

An Hon. Member: Old age.

Shri D. C. Sharma: I believe this demand from the railways that instead of getting a special treatment or some highly favoured treatment or some such treatment in this field, the railways should adopt the attitude of a person who has attained maturity and who is going to stand on his own legs. Therefore, I would say that the railways should be treated as a commercial concern now. If they are a commercial concern, that does not mean that they are not going to do any service to the industry; it does not mean that they are not going to do any service to the Defence Forces; it does not mean that they are not going to do any service to other national undertakings. It does not mean like that. These services will persist and will endure, but the railway finances will be put on a more stable and a more rational basis Unless that is done, it cannot be said that the railway finances are as good and sound as they should be.

The kind of contradiction that prevails at present has been always with us. For instance, the railways pay dividend to Government at the rate of 4 per cent. The railways take loans for development at the rate of 6 per cent or five per cent or something more than that. Why does this kind of contradiction exist in the railways? It exists only because the railways want that when they have to pay the dividend, they should be treated as a public utility service, and when they have to get loans, they should be treated as a public utility service, but when they have to do other things, when they have to get money from others, they should be

[Shri D. C. Sharma]

treated as commercial services. This kind of dichotomy which I find in the railways is good neither to my country nor to the railways nor to the future of the railways.

I want to urge this in the light of what I shall state presently. What is the fate of the railways all over the world now? What is the fate of the railways in U.K. and in U.S.A. and in other countries? We find that railway travelling is getting more and more out of fashion; railway travelling is getting, so to say, out of fashion for the present. The railways are now being used by and large in some progressive countries of the world for carrying goods, and even there they are suffering a great deal of competition from road transport. Now, our road transport is also coming into its own, and you know, Sir, that the road transporters want that they should be treated in a much better and a much more generous fashion than they are being treated now. I can say that as time passes, the road transport services are going to gain more and more momentum; as time passes and our standard of living increases and our *per capita* income increases, I can assure you that the air travel service is going to be more and more popular, and I would say that the railways will be there only for carrying goods and that also, only for carrying goods from far off places.

Taking into account all these things, I believe that the whole question of the dividend to be paid by the railways to the general revenues should be looked at from this angle, and they should pay a dividend just as any commercial concern pays a dividend. How do these commercial concerns pay dividends? We have, for instance, so many autonomous corporations. We have the Hindustan Machine-Tools Factory and other corporations; they are all paying dividends. The Hindusthan Machine-Tools have declared a sizeable dividend, and so also the Ashoka Hotels have declared some amount of dividend.

So, I would say that if you want that the development expenditure of the railways should be taken due notice of, if you want that new lines should be constructed, if you want that the dismantled lines, to which the hon. Member who spoke earlier made a reference, should be taken in hand, if all these things are there, if all these things are to be taken into account, then the only way is that you should try to make the finances of the railways like the finances of any other commercial corporation. Unless that is done, I think none of these things is going to happen.

If the railways were a commercial corporation, the demands made by these persons will be looked into; and more passenger amenities will be given. There will be room for the construction of new lines, and these lines will be constructed at a much more rapid rate than they are being constructed now. They will not be asked to construct these lines without paying any interest on them for some time.

Sir, genius consists in simplifying things. All these Railway Conventions that have been there, and all these committees that have been there have done only one thing, and it is this that they are trying to introduce more and more of complications into the railway finances. That is not a thing which should be done. Therefore, I would request the Members of the Convention Committee to look at this thing only from this angle. I do not care how much dividend is going to be paid; somebody said that it should be 3 per cent; somebody else said that it should be 4 per cent or 5 per cent and so on.

Shri M. B. Thakore (Patan): How much should it be?

Shri D. C. Sharma: If it is said that we are not entitled to any dividend for some time to come, I would be very happy and I would be very con-

tent, but taking all these things into consideration . . . (*Interruptions*).

Mr. Deputy-Speaker: I would request the hon. Member to be very brief now. We have already exceeded the time.

Shri D. C. Sharma: If we take into account all these things, and we come to the conclusion that the dividend should be 6 per cent, I would be content.

Shri M. B. Thakore: At least 8 per cent.

Shri D. C. Sharma: I would suggest very respectfully that we should once and for all take a decision, so far as the nature of this undertaking is concerned. Once and for all, we should consider its efficiency and performance as we do in the case of commercial undertakings, and after having done that, we should see what dividend it can pay and what dividend it cannot pay.

Mr. Deputy-Speaker: Now, Ch. Ranbir Singh.

There is no scope for so much of argument and debate here. In this case, only a committee is to be appointed which will go into the question. Hon. Members are taking up the question of opening of new railway lines and other questions. They are not at all relevant at this stage. If any hon. Member wants to bring that up, I would request him not to do it. If any other thing is to be said, he can say it.

Shri Tyagi: How much time has been allotted for this?

Mr. Deputy-Speaker: No time has been fixed. That is the difficulty. Because there was no time fixed, we ought to have adopted this resolution long ago; for, there is still an hour for the Demands for Excess Grants, and we have to finish it before we take up the non-official business.

Shri T. B. Vittal Rao: Where is the urgency to take up the Demands for Excess Grants now? We can take them upon Monday.

Mr. Deputy-Speaker: Why should we postpone them? It was understood that these two things would be finished today.

Shri T. B. Vittal Rao: Nobody understood in that way.

Mr. Deputy-Speaker: At least I understood like that.

चौ० रणबीर सिंह : उपाध्यक्ष महोदय, रेलवे कनवैंशन कमेटी बनाने का खयाल इस बात से पैदा होता है कि सदन यह मानता है कि रेलवे के महकमे से कुछ आमदनी होगी और जो आमदनी होगी, उसमें से कुछ जनरल फंड्स में जायेगा । इसलिये मैं मानता हूं कि जहां कमेटी की ये सिफारिशें हों कि कितना पैसा वह जनरल रेवेन्यूज को दे या कितना पैसा मुख्तलिफ जो फंड्स है उनके लिये रखे उसके साथ ही साथ अब वक्त आ गया है जबकि यह कमेटी इस बात पर भी गौर करे कि कौन सी चीजें हैं जिन से रेलवे की आदनी बढ़ सकती है । अगर यह नहीं किया जाता है तो जो सिफारिशें उसकी होंगी वे कागजी सिफारिशें ही रह जायेंगी । दूसरी लड़ाई से पहले ऐसा ही होता रहा है । पहले रेलवे को घाटा हुआ करता था और जो कनवैंशन कमेटी बिठाई गई थीं, वे उस घाटे को पूरा करने के तरीके नहीं बता सकी थीं । इस वास्ते मैं समझता हूं कि जहां कमेटी यह फैसला करे कि क्या रेलवे को जनरल रेवेन्यू में देना है वहां वह यह भी तय करे कि आमदनी कैसे बढ़ सकती है ।

उपाध्यक्ष महोदय, आप जानते हैं कि रोहतक से गोहाना का जो हिस्सा है, वह अगर रेस्टोर होता है. . . .

उपाध्यक्ष महोदय : अब यह वक्त रफ्रिजेटेशन करने का नहीं है ।

चौ० रणबीर सिंह : उपाध्यक्ष महोदय, जैसा मैंने शुरू में कहा, मैं समझता हूं कि जब तक वह कमेटी इस बात को नहीं सोचती है कि कैसे आमदनी बढ़ाई जा सकती है, तब तक उस कमेटी की सिफारिशों से कोई फायदा होने वाला नहीं है....

उपाध्यक्ष महोदय : इसलिये आवश्यक है यह क्या कि लाइनों के नाम गिनाये जायें और लाइन बनाने के लिये कहा जाये ?

चौ० रणबीर सिंह : लाइन की बात को मैं छोड़ देता हूं । मेरा कहने का मतलब यह है कि कुछ काम रेलवे के महकमे ने किये थे, जिन के अधूरे पड़े रहने के कारण रेलवे की आमदनी में कमी होती है, उसकी आमदनी बढ़ती नहीं है । मिसाल के तौर पर अगर रोहतक को चन्डीगढ़ से मिला दिया जाये तो वह आमदनी का जरिया बन सकता है । लेकिन उसको अगर वहीं पर छोड़े रखा जाये, जहां वह है, तो घाटे का सौदा रहेगा ।

मैं यह भी कहना चाहता हूं कि हर साल कोयले का खर्चा बढ़ता जाता है । सोचने वाली बात यह है कि क्या रेलवे आज ट्रक्स का मुकाबला कर सकती है ? ट्रक्स जो सामान बम्बई से दिल्ली में लाते हैं या बम्बई से पंजाब के एक सिरे पर या दूसरे सिरे पर ले जाते हैं उनके रेट कई बार रेलवे के महकमे के रेट से कम होते हैं । आज हम यह भी कहते हैं कि अगर हम जागे नहीं तो आने वाले जमाने में हमें इससे नुक्सान हो सकता है, हमें घाटा हो सकता है । इस वास्ते मैं चाहता हूं कि अब वक्त आ गया है कि रेलवे का इलैक्ट्रीफिकेशन हो । इलैक्ट्रीफिकेशन तभी हो सकता है जबकि हम बिजली पैदा करें । जहां तक उत्तर भारत का संबंध है उसके लिये यह जरूरी है कि भाखड़ा का दूसरा पावर हाउस बने....

उपाध्यक्ष महोदय : आप यह बतायें कि कमेटी मुकर्रर हो या न हो ? पहले बिजली हो, उसके लिये भाखड़े का दूसरा इलैक्ट्रिक प्लांट हो, उसके लिये वहां मशीनरी पहुंचाई जाये ताकि वह बिजली पैदा कर सके, फिर इस्पात की जरूरत होगी और उसको तैयार करने के लिये एक कारखाना खोला जाये, इस तरह से यह बात कहां जाकर पहुंचती है ?

चौ० रणबीर सिंह : मुझ से ज्यादा मेरी वकालत तो, उपाध्यक्ष महोदय, आपने कर दी है । इतना कुछ तो शायद मैं भी नहीं करवाना चाहता था.....

उपाध्यक्ष महोदय : इससे साबित होता है कि मुझे भी उन बातों से दिलचस्पी है जिन से चौधरी रणवीर सिंह साहब को है । मगर इस वक्त वे सब कही नहीं जा सकती हैं ।

चौ० रणबीर सिंह : यह कमेटी बननी चाहिये या नहीं बननी चाहिये, इसी के ऊपर मैं बोल रहा हूं । वह कमेटी बननी चाहिये, यह तो मैं मानता हूं । लेकिन वह कमेटी जो रिपोर्ट देगी उसकी रिपोर्ट से फायदा तभी हो सकता है जबकि रेलवे के फाइनेंसिस इम्प्रूव हों । अगर रेलवे की आमदनी घटती रहेगी, तो उस रिपोर्ट से कोई फायदा नहीं होगा । इसलिये मैं मानता हूं कि हमें..... (*Interruptions*)

Mr. Deputy-Speaker: Order, order, the hon. Member may be allowed to continue.

Shri Tyagi: Yes.

चौ० रणबीर सिंह : वह मुझे जोश दिला रहे हैं कि मैं दादरी तक लाइन.....

उपाध्यक्ष महोदय : किसी लाइन के बारे में कुछ नहीं कहा जाना चाहिये ।

चौ० रणवीर सिंह : इसीलिये मैंने उनकी कोई मदद नहीं की । लेकिन वह चाहते थे कि उसके बारे में भी मैं कुछ कहूं ।

मैं इतना ही कहना चाहता हूं कि कमेटी सोचे कि कौन सी चीज है जिससे रेलवे को घाटा होने का अन्देशा है और सुझाव दे कि उसका क्या इलाज है । आज कम्पीटीशन बहुत अधिक हो गया है और उस ओर ध्यान जाना चाहिये ।

अभी यहां पर कहा गया है और इसके बारे में बहस की गई है कि रेलवे युटिलिटी कन्सर्न है या कमर्शियल कन्सर्न है । मैं समझता हूं दोनों के बीच की यह चीज है । लेकिन एक बात माननी होगी कि देश का बहुत बड़ा अंग है जहां आज तक रेलवे लाइन नहीं पहुंची है । उन इलाकों के लिये तो यह युटिलिटी कंसर्न है नहीं । जहां रेल की गाड़ी कभी गई नहीं है उनके लिये तो यह कमर्शियल कंसर्न है । इस देश के अन्दर उनका भी हिस्सा है । वे तो चाहेंगे कि पूरा पूरा पैसा जनरल रेवेन्यूज़ को जाये । एक तरफ हमारी डबल लाइंस चलती हैं, रेलवे यूजर्स एमेनेटीज़ के नाम से करोड़ों रुपया खर्च होता है लेकिन दूसरी ओर कई इलाके हैं जहां रेलवे लाइन नहीं पहुंची है । मैं चाहता हूं कि रेलवे लाइन्स का विस्तार हो, ताकि आमदनी बढ़ सके ।

उपाध्यक्ष महोदय : चूंकि वक्त नहीं है इस वास्ते मैं किसी और मैम्बर को बोलने का वक्त नहीं दे सकता हूं । अब आनरेबल मिनिस्टर साहब बोलेंगे ।

Shri Jagjivan Ram: Sir, I have not much to say. As the House is aware, the question is being referred to the Committee. Many hon. Members have made suggestions, some of them germane to the subject-matter of the Resolution and some not quite relevant. The entire proceedings of the discussion in the House will be before the Convention Committee; and the Committee will take into consideration the various suggestions that have been made. I would not, at this stage, like to go into the merits of any of the suggestions because it will not be fair to the Convention Committee, which will be seized of the problem and which will examine it very fully from various aspects.

But, one thing I want to make clear and that is about the aspect of the working of the Railways, whether it is commercial or public utility. Dr. Aney reminded that once the Convention Committee suggested that the Railways should function as a commercial undertaking. Whatever may be the decision, I would like to state that the Railways, as they are functioning today, are not functioning purely as a commercial undertaking. We have, in the very nature of the thing, functioned as utility services as well.

Some of the hon. Members have narrated how in relation to the different Ministries or in regard to the development of certain industries in certain areas or in the transportation of raw materials or other requisites for the industries, the Railways have to function as a public utility and not as a purely commercial undertaking.

I have no doubt that if the Railways, start functioning today as a purely commercial undertaking passenger fare and rates of freight of many commodities will have to be revised and revised upward. But, again, I will not go into details.

Shri Tyagi: Expenditure also will have to be curtailed.

Shri Jagjivan Ram: Expenditure will have to be curtailed; unremunerative lines will have to be closed down; passenger trains and goods services where the occupation ratio is not remunerative will have to be closed down and other aspects will have to be considered if the Railways are to be treated as a purely commercial undertaking. But because we have the public utility aspect also, we have to run the lines where we are

[Shri Jagjivan Ram]

losing. We do not curtail the passenger services where we feel that the occupation ratio is not commensurate with the expenditure incurred thereon. I only wanted to point out that as matters stand today, the Railways are not functioning as a purely commercial undertaking. I will put it that today we are functioning as a commercial-*cum*-public utility undertaking. It is for the convention committee to decide whether we have to work purely as a commercial undertaking. If they so decide, I am afraid, that it will lead to hardship in certain areas; the community may be put to hardship in certain respects. If we are to function purely as a public utility service, perhaps that also may lead to certain complications. A balance has to be struck between the two. I will not take the time of the House on individual points that have been raised.

About over-capitalisation the last convention committee mentioned something about it. There is no doubt some over-capitalization on the railways exists. It has to be worked out in great detail. At times the dividing line is not very clear as to which is to be treated as capital pure and which not. Take, for instance, the staff quarters of the employees. It can be treated as an amenity or it can be treated as a capital. Dividing line in such cases is not very clear or sharp. We will have to work out to what extent over-capitalisation has to be reduced. Till the details have been very minutely worked out, we have decided that over-capitalisation should be put at Rs. 100 crores for the purpose of paying dividend. We charge inflated mileage so long as the normal mileage will not meet the expenditure. As soon as a new railway line reaches a stage where by charging normal mileage the expenditure and return can be balanced, then the inflated mileage is reduced or eliminated.

I will not take the time of the House any more, Sir. All the suggestions that have been made and are relevant to the subject-matter will certainly be considered by the committee and they will come to such decisions as they deem proper.

When Shri Bharucha referred to the last convention committee, I am afraid he was not fair to them. The committee devoted quite a good time over it. They laboured and they produced a report which was useful and valuable and to belittle the effort of that committee was not justified.

Shri Naushir Bharucha: I have not belittled; I am simply saying that I am not satisfied with the conclusions they have arrived at.

Shri Jagjivan Ram: The general impression created was that the report was not to your satisfaction and something was wanting in it. I said that the last convention committee did good work and it has been helpful to the railways and to the general finance. I am sure the new committee will take all the points into consideration before reaching the conclusions.

Mr. Deputy-Speaker: The question is:

"That this House resolves that:

(i) A Parliamentary Committee consisting of 12 Members of this House to be nominated by the Speaker be appointed to review the rate of dividend which is at present payable by the Railway undertaking to the General Revenues as well as other ancillary matters in connection with the Railway Finance *vis-a-vis* the General Finance and make recommendations thereon by the 30th November, 1960; and

(ii) that this House recommends to the Rajya Sabha to agree to associate six Members from that Sabha with the Committee and to communicate the names of the Members so appointed to this House.

The motion was adopted.

DEMANDS FOR EXCESS GRANTS (RAILWAYS), 1957-58

Mr. Deputy-Speaker:. The House will now take up voting on the Demands for Excess Grants in respect of the Budget (Railways) for 1957-58.

Motion moved:

DEMAND No. 4—REVENUE ORDINARY WORKING EXPENSES—ADMINISTRATION

Mr. Deputy-Speaker: Motion moved:

"That a sum of Rs. 44,66,228 be granted to the President to make good an excess on the grant in respect of 'Revenue—Ordinary Working Expenses—Administration' for the year ended the 31st day of March, 1960."

DEMAND No. 4—REVENUE—ORDINARY WORKING EXPENSES—REPAIRS AND MAINTENANCE.

Mr. Deputy-Speaker: Motion moved:

"That a sum of Rs. 3,67,54,149 be granted to the President to make good an excess on the grant in respect of 'Revenue—Ordinary Working Expenses—Repairs and Maintenance' for the year ended the 31st day of March, 1960."

DEMAND No. 7—REVENUE—ORDINARY WORKING EXPENSES—OPERATION (FUEL)

Mr. Deputy-Speaker: Motion moved:

"That a sum of Rs. 56,04,858 be granted to the President to make good an excess on the grant in respect of 'Revenue—Ordinary Working Expenses—Operation (Fuel)' for the year ended the 31st day of March, 1960."

DEMAND No. 8—REVENUE—ORDINARY WORKING EXPENSES — OPERATION OTHER THAN STAFF AND FUEL

Mr. Deputy-Speaker: Motion moved:

"That a sum of Rs. 1,43,29,288 be granted to the President to make good an excess on the grant in respect of 'Revenue—Ordinary Working Expenses—Operation other than staff and Fuel' for the year ended the 31st day of March, 1960."

DEMAND No. 9—REVENUE—ORDINARY WORKING EXPENSES-MISCELLANEOUS EXPENSES.

Mr. Deputy-Speaker: Motion moved:

"That a sum of Rs. 15,88,214 be granted to the President to make good an excess on the grant in respect of 'Revenue—Ordinary Working Expenses—Miscellaneous Expenses' for the year ended the 31st day of March, 1960."

DEMAND No. 12—REVENUE—DIVIDEND PAYABLE TO GENERAL REVENUES

Mr. Deputy-Speaker: Motion moved:

"That a sum of Rs. 15,74,370 be granted to the President to make good an excess on the grant in respect of 'Revenue—Dividend payable to General Revenues' for the year ended the 31st day of March, 1960."

DEMAND No. 15—CONSTRUCTION OF NEW LINES—CAPITAL AND DEPRECIATION RESERVE FUND

Mr. Deputy-Speaker: Motion moved:

"That a sum of Rs. 15,55,279 be granted to the President to make good an excess on the grant in respect of 'Construction of New Lines-Capital and Depreciation Reserve Rund' for the year ended the 31st day of March, 1960."

DEMAND NO. 16—OPEN LINE WORKS—ADDITIONS

Mr. Deputy-Speaker: Motion moved:

"That a sum of Rs. 5,09, 15,374 be granted to the President to make good an excess on the grant in respect of 'Open Line Works—Additions' for the year ended the 31st day of March, 1960."

DEMAND NO. 17—OPEN LINE WORKS—REPLACEMENTS

Mr. Deputy-Speaker: Motion moved:

"That a sum of Rs. 5,66,95,048 be granted to the President to make good an excess on the grant in respect of 'Open Line Works—Replacements' for the year ended the 31st day of March, 1960."

May I know what particular cut motions are going to be moved?

Shri Naushir Bharucha (East Khandesh): My cut motions were intended to concentrate the attention of the Minister at the time of his reply. I am moving my cut motion No. 1 only.

Shri T. B. Vittal Rao (Khammam): I am moving my cut motions Nos. 21, 23, 24, 25 and 26.

Mr. Deputy-Speaker: 26 is not of order.

Shri Aurobindo Ghosal (Uluberia): I am moving my cut motions Nos. 10 to 17.

Mr. Deputy-Speaker: But 10 is out of order. He may move 11, 12, 13, 14, 15, 16 and 17.

Shri Warior (Trichur): I am moving my cut motions Nos. 29 to 33.

Mr. Deputy Speaker: 31 and 29 are out of order. He may move cut motions Nos. 30, 32 and 33.

Shri Assar (Ratnagiri): I am moving my cut motions. Nos. 18, 19, 20, 22, 27 and 28.

Mr. Deputy-Speaker: 27 is out of order. He may move the others.

Non-payment of overtime allowance to staff in Bhusaval Workshop

Shri Naushir Bharucha: I beg to move:

"That the demand for an Excess Grants of a sum of Rs. 44,66,228 in respect of 'Revenue Working Expenses-Administration' be reduced by Rs. 100." (1).

Increase in the consumption of coal

Shri T. B. Vittal Rao: I beg to move:

"That the demand for an Excess Grant of a sum of Rs. 56,04,858 in respect of 'Revenue-Ordinary Working Expenses-Operation (Fuel)' be reduced by Rs. 100." (21).

Delay in the examination of the report of 'Uniforms Committee'

Shri T. B. Vittal Rao: I beg to move:

"That the demand for an Excess Grant of a sum of Rs. 1,43,29,288 in respect of 'Revenue-Ordinary Working Expenses-Operation Other than Staff and Fuel' be reduced by Rs. 100." (23)

Compensation paid for goods lost or damaged

Shri T. B. Vittal Rao: I beg to move:

"That the demand for an Excess Grant of a sum of Rs. 1,43,29,288 in respect of 'Revenue-Ordinary Working Expenses-Operation Other than Staff and Fuel' be reduced by Rs. 100." (24)

Delays in the disposal of cases for payment of provident fund and gratuity to employees

Shri T. B. Vittal Rao: I beg to move:

"That the demand for an Excess grant of a sum of Rs. 15,88,214 in respect of 'Revenue-Ordinary Working Expenses-Miscellaneous Expenses' be reduced by Rs. 100." (25)

Recruitment of employees in the South-Eastern Railway

Shri Aurobindo Ghosal: I beg to move:

"That the demand for an Excess Grant of a sum of Rs. 44,66,228 in respect of 'Revenue-Working Expenses-Administration' be reduced by Rs. 100." (11)

Failure to provide regular jobs to the paid apprentices and temporary employees

Shri Aurobindo Ghosal: I beg to move:

"That the demand for an Excess Grants of a sum of Rs. 44,66,288 in respect of 'Revenue-Working Expenses-Administration' be reduced by Rs. 100." (12)

Repairs and maintenance of 1st class coaches in South-Eastern Railway

Shri Aurobindo Ghosal: I beg to move:

"That the demand for an Excess Grant of a sum of Rs. 3,67,54,149 in respect of 'Revenue-Ordinary Working Expenses-Repairs and Maintenance' be reduced by Rs. 100." (13)

Wastage of coal

Shri Aurobindo Ghosal: I beg to move:

"That the demand for an Excess Grant of a sum of Rs. 56,04,858 in respect of 'Revenue-Ordinary working Expenses-Operation (Fuel)' be reduced by Rs. 100." (14)

Failure to check pilferage from Railway Stores and godowns.

Shri Aurobindo Ghosal: I beg to move:

"That the demand for an Excess Grant of a sum of Rs. 1,43,29,288 in respect of 'Revenue-Ordinary Working Expenses-Operation other than Staff and Fuel' be reduced by Rs. 100." (15)

Failure to prevent loss and damage to consignments

Shri Aurobindo Ghosal: I beg to move:

"That the demand for an Excess Grant of a sum of Rs. 1,43,29,288 in respect of 'Revenue-Ordinary Working Expenses-Operation other than Staff and Fuel' be reduced by Rs. 100." (16)

Delay in payment of Provident Fund amounts

Shri Aurobindo Ghosal: I beg to move:

"That the demand for an Excess Grant of a sum of Rs. 15,88,214 in respect of 'Revenue-Ordinary Working Expenses-Miscellaneous Expenses' be reduced by Rs. 100." (17)

Need to repair passenger carriages running on Malabar Coast before the advent of monsoon

Shri Warior: I beg to move:

"That the demand for an Excess Grant of a sum of Rs. 3,67,54,149 in respect of 'Revenue-Ordinary Working Expenses-Repairs and Maintenance be reduced by Rs. 100." (30)

Increase in the consumption of coal

Shri Warior: I beg to move:

"That the demand for an Excess Grant of a sum of Rs. 56,04,858 in respect of 'Revenue Ordinary Working Expenses-Operation (Fuel)' be reduced by Rs. 100." (32)

Failure to check damage, pilferage and loss of consignments

Shri Warior: I beg to move:

"That the demand for an Excess Grant of a sum of Rs. 1,43,29,288 in respect of 'Revenue-Ordinary Working Expenses-Operation other than Staff and Fuel' be reduced by Rs. 100." (33)

Maintenance and repairs of first class coaches

Shri Assar: I beg to move:

"That the demand for an Excess Grant of a sum of Rs. 3,67,54,149 in respect of 'Revenue-Ordinary Working Expenses—Repairs and Maintenance' be reduced by Rs. 100." (18)

Maintenance of automatic signals in Bombay city

Shri Assar: I beg to move:

"That the demand for an Excess Grant of a sum of Rs. 3,67,54,149 in respect of 'Revenue-Ordinary Working Expenses-Repairs and Maintenance' be reduced by Rs. 100." (19)

Failure to reduce expenses on fuel

Shri Assar: I beg to move:

"That the demand for an Excess Grant of a sum of Rs. 56,04,858 in respect of 'Revenue-Ordinary Working Expenses-Operation (Fuel)' be reduced by Rs. 100." (20)

Failure to minimise loss, pilferage or damage to consignments

Shri Assar: I beg to move:

"That the demand for an Excess Grant of a sum of Rs. 1,43,29,288 in respect of 'Revenue-Ordinary Working Expenses-Operation other than Staff and Fuel' be reduced by Rs. 100." (22)

Preparation of estimates for expenditure on replacements on open lines

Shri Assar: I beg to move:

"That the demand for an Excess Grant of a sum of Rs. 5,66,95,046 in respect of 'Open Line Works-Replacements' be reduced by Rs 100." (28)

Mr. Deputy-Speaker: These cut motions are now before the House.

Shri T. B. Vittal Rao: Before I come to my cut motion which has been ruled out, I will say a few words about the other demands. It is stated that the excess grants asked for are due to the extra expenditure on the consumption of coal. There are two reasons on account of which the increase arises. One is the increase in the price of coal and the other is the increase due to consumption of coal. Consumption of coal on Railway constitutes about 16 per cent of the total expenses. Realising the enormous expenditure that is involved on account of the consumption of coal, there has been a fuel economy enquiry committee. Fortunately, the Chairman of that committee is now the Chairman of the Railway Board. I hope and trust that the several recommendations that have been made will be put into effect But today what is happening? Coal is shifted from Bihar and Bengal coal fields to the south. The coal transported through the railway wagons are graded and they are stacked separately but the coal that was brought by the steamers and ships from Calcutta port of Madras, Cuddalore and other places are not properly graded and they are not properly stacked according to the grades. This coal is used in the locomotives in bulk with the result that the coal that is to be used for locomotives of passenger, express or mail trains are being used for locomotives of goods also. Inferior quality of coal can be used in goods locomotives. Now, because of this mixture what is happen-

ing is that for goods trains we are using a certain amount of superior quality coal thereby incurring extra expenditure, and for passenger, express and mail locomotives we are using a certain amount of inferior variety of coal which results in engine failures. When there are engine failures, naturally, extra expenditure is involved.

The other aspect of this question is, who is the Railway Officer who inspects the supplies made by the various collieries to see whether the supplies are made according to the prescribed grades. My information is that in the coalfields in the north, in the Bihar-Bengal region, they select grade II coal whereas payment is made on the basis of selected grade I. Nobody has been able to find this out. This has been going on for some years. The coal that is being supplied to the Railways is not thoroughly and properly inspected, with the result that the rate applicable for a better variety of coal is charged for an inferior variety of coal. I want that a thorough enquiry should be conducted into this question. This is not a small sum. If the whole thing is worked out, it comes to some lakhs of rupees.

An Hon. Member: Crores.

Shri T. B. Vittal Rao: Therefore, I would like to know what is the machinery that is going to be set up for the proper inspection of coal. If there are railway wagons at the receiving ends we can check properly, but proper checking cannot be done in ships because all grades are mixed up and stacked in the ships.

One of the recommendations made by the Fuel Economy Enquiry Committee was that washeries have to be set up so that the grade of coal that is supplied could be uniform. That is a very good recommendation made by the Committee which should have been implemented straightaway. But so far nothing has been done for installing a washery. For example, it was stated that a washery has to be installed at Kothagudium—the servicing station is Bhadrachalam Road. I do not know what delays the installation of this washery. I would like the Minister to look into this aspect seriously, in view of the fact that the expenditure involved in the working of the railways includes 16 per cent. of the expenditure due to coal.

Then I come to the next Demand, Demand No. 8. My cut motion is No. 23. When Supplementary Demands were being discussed here last year, the hon. Minister in reply to a point raised by me as to why there has been such a considerable delay in the examination of the report submitted by the Uniforms Committee replied that he was not aware of that and that he would apply his mind to that report. One year is over. In reply to a question put a little over a month ago he replied in the same way, he said that it involves a lot of time. Is this the way of dealing with reports. The appointment of a committee is based on certain grounds. There was dissatisfaction among the railway employees because the supply of uniforms was not uniform all over the railways. In some zonal railways some categories of employees got uniforms whereas in some other zonal railways the same categories were denied that facility. On account of this the whole question was remitted to a committee. It was a departmental committee. I do not know what recommendations the committee made, because we are told that the report could not be supplied to us because it is only a departmental committee. While they can come here for Grants, they say that the recommendations of a departmental committee regarding uniforms could not be supplied to hon. Members. I have the matter at that.

What about the examination of the report? Is it such a huge report, is it such an important report that it requires more than two years to examine and arrive at some conclusions? I am compelled to say, Sir, though reluctantly, that this reflects little

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credit on the efficiency of the Railway Board. I hope and trust that at least now the examination of those recommendations will be completed and the results as to whether they accept them or not will be made known to us.

Then I come to my cut motion No. 24—compensation paid for goods lost or damaged. There has been a special drive on the Railways for the disposal of refund claims, and therefore this extra expenditure has been incurred. This is a very good thing. Are the Railway Administrations and the Railway Board drawing any lessons from these cases of loss due to goods damaged during transit or when they are kept in goods sheds and parcel offices? Year after year some crores of rupees are going from the Railway Exchequer. Special drives are there. The Railway Protection Force has also been there. With all that, Sir, this is increasing.

Shri Tyagi (Dehra Dun): Every day.

Shri T. B. Vittal Rao: My hon. friend, Shri Tyagi says: "every day". Sir, are we not to draw lessons from such things? Are we not to think and apply our minds to this problem and find out why this is happening? There is a simple case. Even perishable goods and valuable parcels are thrown on the platforms for a number of hours. As soon as the train arrives the parcels are unloaded and left on the railway platforms without any shelter. Firstly, because they lie in the open they are likely to be damaged; secondly, when they are thrown on the platforms uncared for, naturally, thefts take place. So much of extra expenditure is incurred in other directions. Cannot these things be put in the parcel offices where there is accommodation? Cannot the parcels be removed immediately and placed in the parcel offices? These things are not done. On the other hand, these things still continue to lie on the platforms blocking the movement of passengers and inconveniencing them. I must say that most of the thefts that occur are due to such carelessness. I hope now at least the Railway Ministry will draw some lessons and see that these things are reduced.

Mr. Deputy-Speaker: May I hope now that he will be very brief?

14 hrs.

Shri T B. Vittal Rao: I will be very brief. I come to Demand No. 9—my cut motion No. 25 relating to delays in the disposal of cases for payment of provident fund and gratuity to employees. Sir, I know that considerable delays are there. Whenever we ask anything in this House, we are told that a meeting has been convened of the Financial Advisers and Chief Accounts Officers of all the zonal railways presided over by the Financial Commissioner and attended by the two Deputy Ministers and the Minister. What is the result? They have taken certain steps to expedite, but I tell you that even today in the Central Railway the provident fund accounts are not posted properly and in the case of some classes the accounts lie pending for three years and four years. After the merging of the various railways into zones and after the formation of zonal system of railways, the accounts have not been regularised in the matter of provident funds. Formerly, after a certain period, say, six months after the annual accounts are closed, every railway employee used to be supplied with a statement of account wherein his contribution as well as the contribution of the railways used to be shown. But nowadays these statements are not being handed over to the railway employees regularly. Why should a railway employee wait for a number of days or months to get his dues? In one case, it is stated that a person has to wait for one or one and a half years to get the gratuity. Why such delays should occur, I fail to understand. In

some cases, when application was made, it was said that the whereabouts were not known. It was in the case of a Class IV employee—a gangman. The gangman have gone and the amounts are lying still there? These delays should be reduced and the amounts should be disbursed expeditiously.

I recently asked some railway employees as to why the response to the pension scheme formulated by the railway authorities was so poor. They said that they do not even get their own money from the porvident fund regularly and that it takes months and months to come; they added that at this rate, their pensions could be sanctioned only very late after prolonged delays. Sir, you are looking at me, and I close. I request the railway authorities to see that the efficiency of the department and of the railway administration as a whole and of the Railway Board is increased.

Mr. Deputy-Speaker: Shri Aurobindo Ghosal.

Shri Tyagi: Sir, I wish to say just a few words in a minute or two.

Mr. Deputy-Speaker: Yes.

Shri Tyagi: Sir, I do not want to make a speech, but there is one suggestion which occurs to my mind, and I just want to emphasise it. The other day the Minister said that he was considering a direct railway link to Pakistan. I would suggest that this question may not be treated as one single question, or an isolated question. I would suggest to the Government to take it up no doubt, but to take it up along with other matters which are hanging fire for a long time. If there is a total settlement of all the other matters, the question of a direct railway link might also be looked into and it may be taken up with all other questions. Otherwise, my fears are that if the question of a direct link to Pakistan through India is taken up on an isolated basis and gets through, it would perhaps not be very congenial for our defence and many other matters. Many other questions will arise, and I therefore, request the Government to see that this question of railway link is not taken up as a single, isolated case. There are many other disputes pending, say, for instance, the canal waters dispute, the financial disputes, etc. All of them could be put together.

I would love to come to friendly settlement or arrangement with Pakistan so that both Pakistan and we can prosper and progress together. We are a big continent. We want to be one country, if not politically, at least in other aspects, and be friendly towards each other. We want to build up this continent and give all types of amenities to our citizens as other countries are giving to their people. So, if both of us progress and develop, it will be very beneficial, and towards that end, it will be good if some overall arrangement or settlement is made with Pakistan. But to settle only the question of the railway link on an isolated basis will, I am sure, be risky. I wish the Government would consider my suggestion.

Dr. M. S. Aney (Nagpur): Sir, I want to put one question.

Mr. Deputy-Speaker: There are many hon. Members who want to put questions. I shall come that side. Now, I call upon Shri Aurobindo Ghosal.

Shri Aurobindo Ghosal: Sir, I have moved cut motions Nos. 11 to 17. I would like to mention certain points made in them. We do not know whether there is any standard or any method as regards the recruitment, promotions and transfers of the railway employees at least in the south-eastern and the easter railways. From our experience we have found that these transfers and recruitment and confirmations are made without any method and without any principle.

Recently, two items of news have come out in the newspapers. I would

[Shri Aurobindo Ghosal]

like to mention them. One was about 83 draftsmen and estimators in the south-eastern and the eastern railway. These draftsmen got training under the Ministry of Labour for 18 months and after that they were appointed in the railways. There, they worked as apprentices for six months and then they appeared in the railway examination and passed it. Thereafter they served the railways since 1957. After three years, an order to debate was issued by the Railway Board that no draftsmen or estimators will be taken in service, that is, those draftsmen and estimators who have not passed out of the Madhupur training school will never be allowed to remain in service; with the result that these persons are now on the point of retrenchment. That item of news has come in the papers. I request the hon. Minister to consider their case, because, after having training under another Ministry and also after having served the railways for the last three years and also after passing an examination held by the railways, they should not be retrenched. I do not know why they should be retrenched after having put in such a long service.

There is another point. That also has come in the newspapers. In Kharagpur, an advertisement in the papers was given for several posts in the railways. It was about two years ago. 5,000 applications were received. Out of them, 2,000 candidates were called for interview. Out of them, 1,000 were asked to sit in the examination. Then out of them, 200 or 300 passed. But none of them have been appointed to the service though two years have passed since then. This is another disappointment for the persons who applied for the posts and also passed.

Regarding repairs and maintenance of first class coaches in the southeartern railway, I should like to mention that the conditions of coaches in the south-eastern railway should be improved. Just about a fortnight ago, I was travelling on that railway. I found no fans, no lights and no water. We drew the attention of the authorities to this matter at the Howrah station, but they were unable to repair either the fan or the water-supply system. Almost all the suburban trains run without lights. They are running late. Though the trains have been given sufficient running time, still, they are running late. Of course, in the statistics of the Railway Ministry, we find that the running time is gradually improving. It is said that the trains are running according to time and regularly. I would like to submit that though the guards' journals may give the correct time, if those journals we compared with the registers maintained by the Assistant Station Masters, the hon. Minister will find that there is a gulf of difference and that the time as shown by the guards' journals is not the real running time of the trains.

About wastage of coal, one aspect was referred to by my hon. friend Shri T. B. Vittal Rao, but I shall refer to another item in regard to that subject. That lies in my own constituency. There are about 20 siding lines. Every day I find that the engine drivers sell the coal from the engines to hundreds of people and take money in return. Formerly, there was a system by which a driver used to give away coal in exchange for eggs and coconuts. Nowadays, they are actually selling coal from the engines. I want to know how much coal is given by the railways to the engine drivers to pilot the engines and whether it is given on time basis or mileage basis. I want the hon. Minister to take into consideration all these factors.

The Deputy Minister of Railways (Shri S. V. Ramaswamy): Where is this taking place?

Shri Aurobindo Ghosal: In the south-eastern railway, in between Howrah and Uluberia.

Mr. Deputy-Speaker: The hon. Member has been watching that barter!

Shri Aurobindo Ghosal: My house is just by the side of it, in the midst of the industrial area. In my constituency there are about ten jute mills and three cotton mills. Naturally, I am aware of all these things.

As regards stores and godowns, it is coming almost daily in the newspapers, that these are the centres from which all the engineering articles of the railways are taken away and sold in the market. Also, there was some quarrel between the GRP. and Bengal police who will catch these thieves. So, for some time nobody caught them and they went on merrily with their thefts. After that, there was some settlement and some thieves were caught on the grand trunk road when they were carrying railway goods on trucks. So, more attention should be given to these stores.

Now the Railway Protection Force has been installed there. Those people who purchase these things for selling in the black market, when they went and asked the storeman for railway goods, he said: now you have to pay Rs. 1-8-0 instead of Rs. 1-0-0 because I have to give a share to the railway protection force also. When the railway protection force is also a party to these thefts, it is impossible to detect the pilferages.

Then, in the first class compartments lights and fans are taken away and sold in the black market. The local trains are kept in the watering stations or sidings at big stations and articles are stolen out in the night in spite of the railway protection force. How is it possible for the members of the public to remove these things from the compartments? So, they are taken by the railway employees themselves with the help of the protection force and not by the public. More attention should be paid to that aspect of the matter.

Lastly, I come to the delays in the payment of provident fund amounts. As a lawyer I have myself had experience of the delays in payment. There were two or three cases in which I made applications in 1953 and I received the money in 1958. Of course, in one case I got the money in one year but two other cases took a longer time. Generally it takes 5 to 6 years to get the provident fund amount. In the case of one of my relations, who was an officer in the railways and who died some two years ago the matter is still pending and his dependants have not yet received the provident fund money. I am not referring to it as a personal case. I only want to draw the attention of the hon. Minister to the fact that if the provident fund amount is not paid in proper time to the retired employees then it ceases to be of any use to them.

श्री आसर : उपाध्यक्ष महोदय, डिमांड नं० ५ पर मैंने कटौती प्रस्ताव रक्खे हैं । फर्स्ट क्लास कोचेज के बारे में बहुत सी बातें कही गई हैं । फर्स्ट क्लास कोचेज की क्या स्थिति है, इसके बारे में मुझे हाउस में कहने की आवश्यकता नहीं है क्योंकि यहां पर बैठे हुये सब मेम्बरान फर्स्ट क्लास में प्रवास करते हैं। मुझे विशेष तौर पर जो बात कहनी है वह फ्रंटियर मेल के बारे में है जो कि हमारी प्रेस्टिज ट्रेन है । फ्रंटियर मेल में प्रवास करने वालों को इसका अच्छा अनुभव आता है कि उनको कोयले की राख खाने को मिलती है । बहुत स परिमाण में यह अनुभव भी आता है कि उसमें यात्रियों को डस्ट, धूल भी खाने को मिलती है । इस बारे में बहुत बार यहां तकरीरें की गई कि हम रेलवे पर करोड़ों रुपये-खर्च कर रहे हैं जहां तहां, लेकिन इन फर्स्ट क्लास कोचेज को ठीक करने का प्रयत्न नहीं किया जाता । आज तक उनमें रबर पैकिंग लगाने का काम नहीं किया गया । परिस्थिति इतनी खराब है कि उन में प्रवास करने वाले लोग कहते हैं कि फर्स्ट क्लास में प्रवास करने से थर्ड क्लास में प्रवास करना ज्यादा अच्छा है ।

उपाध्यक्ष महोदय : थर्ड क्लास में शेअर करने वाले ज्यादा होते हैं क्या इस लिये ज्यादा फायदा रहता है ?

श्री आसर :हमारे फर्स्ट क्लास कोचेज के लिये स्विस कोचेज का सजेशन दिया गया है। लेकिन जिन लोगों ने स्विस कोचेज में प्रवास किया है उनको अनुभव है कि यह वर्स्ट कोचेज हैं। उनको सेलेक्ट करने वाला विद्वान आदमी पता नहीं कौन था। यह कोचेज इतनी खराब हैं, इनकन्वीनियेंट हैं कि उनसे प्रवास करना कोई पसन्द नहीं करता। रेलवे मंत्री महोदय से मेरी प्रार्थना है कि वे स्वयं इस का अनुभव लें, तब आप को अनुभव होगा कि इसमें प्रवास करने वालों को कितना कष्ट होता है। इस लिये फ्रंटियर मेल के साथ चलने वाली जो फर्स्ट क्लास की कोचेज हैं उन को रिप्लेस करने की कोशिश की जाये और उनका अच्छा इन्तेजाम किया जाय।

यहां फ्युएल के बारे में भी चर्चा हुई। हमारे श्री विट्ठल राव ने भी इस के बारे में कहा। मैंने इस कोयले के बारे में प्रश्न पूछा था तो बतलाया गया कि हम इस संबंध में ८ लाख रु० का घाटा सहन करते हैं। लेकिन एक मास पहले एक रेलवे आफिसर ने अपनी प्रेस कांफ्रेंस में ऐसा कहा था कि कोयले की जो पिलफरेज हो रही है, चोरी हो रही है, उस से हमें करीब २ करोड़ रु० का घाटा सहन करना पड़ता है।

रेलवे मंत्री (श्री जगजीवन राम) : यह बात प्रेस कांफ्रेंस में नहीं कही गई होगी।

श्री आसर : अगर प्रेस कांफ्रेंस में नहीं बताया गया होगा तो कहीं और बताया गया होगा। बहरहाल पेपर्स में यह चीज आ रही है कि रेलवे को २ करोड़ रु० का घाटा कोयले के बारे में आता है। यह जो गड़बड़ी हो रही हैं और जो घाटा हमें सहन करना पड़ता है उसके बारे में हमें कुछ करने की आवश्यकता है। मैंने इस बारे में जो प्रश्न पूछा था उसमें बतलाया गया कि जो हमारे एंजिन्स हैं वह बहुत पुराने हैं, आउट आफ एज हो गये हैं, जिसकी वजह से उसमें कोयला ज्यादा लगता है। लेकिन मैंने इसके बारे में टेकनिकल एक्सपर्टस से पूछा था कि जो इतना फ्युएल या कोयला लग रहा है उसका कारण क्या है। उन्होंने उसके लिये एक ही बात कही दिस इज आल ड्यू टू नेग्लिजेंस ऐंड पिल्फरेज। इसका कारण केवल पिल्फरेज है, नेग्लिजेंस है। अगर हमारे लोग एकानमिक दृष्टि से देखें तो यह गड़बड़ पिल्फरेज या चोरी की वजह से होती है। परन्तु इस पर मंत्रालय की ओर से ध्यान नहीं दिया जाता। मेरी प्रार्थना है कि इस पर ध्यान दिया जाये।

डिमान्ड नं० ८ के बारे में मुझे क्लेम्स के सम्बन्ध में बतलाना आवश्यक है। हम लोगों को इस सिलसिले में बहुत सा पैसा देना पड़ता है। प्रश्न यह है कि आखिर यह क्लेम्स देने क्यों पड़ते हैं। इस का कारण यह है कि जो हमारे रेलवे कर्मचारी हैं वह ध्यान नहीं देते। उन की लापरवाही प्रमुख कारण है। उन की केयरलेसनेस के कारण कहीं का माल कहीं चला जाता है, और उन को इस का पता नहीं रहता कि वह माल कहां पड़ा है। इन चीजों के बारे में हमें बहुत ज्यादा क्लेम्स देने पड़ते हैं। यह केअरलेसनेस दिन प्रति बढ़ती जाती है। इस चीज पर ध्यान देना आवश्यक है। इन क्लेम्स का हम लाखों. करोड़ों रुपया देते हैं जो कि ध्यान देने से रोका जा सकता है। इसलिये इस केअरलेसनेस को कम करने का प्रयत्न करना चाहिये।

यहां पर यह घोषाल साहब ने बतलाया कि रेलवे में जो चोरियां हो रही हैं उन को रोकने के लिये रेलवे प्रोटेक्शन फोर्स रक्खी गई है। लेकिन मुझे अनुभव है कि इस रेलवे प्रोटेक्शन फोर्स के सहयोग से ही हमारे स्टेशनों पर और शेडस गुड्स शेडस् पर चोरियां होती हैं। मैं बम्बई का एक उदाहरण देना चाहता हूं। दीवा एक स्टेशन है, वहां पर एक पठान है। उस पर एक दो केसेज भी चले थे, पर मुझे पता नहीं उन में क्या हुआ। वह ट्रक्स

रखता है और जो वहां के रेलवे कर्मचारी हैं वे उस से सहयोग करते हैं । वे डब्बों को तोड़ कर उस में से माल उठा ले जाते हैं । पता भी नहीं लगता कि उस माल का क्या हुआ और क्या नहीं । यह सब बातें वहां पर काफी चलती हैं । कुछ मालूम भी होता है तो उस के लिये कदम नहीं उठाये जाते । इस बारे में भी ध्यान दिया जाय और पिल्फरेज को कम करने का प्रयत्न किया जाय ।

आखिर में मैं एक बात डिमान्ड नं० ९ के बारे में कहना चाहता हूं । रेलवे एम्प्लायीज़ के प्राविडेंट फंड और अन्य ड्यूज़ के बारे में बहुत देरी की जाती है । यह नहीं रेलवे एम्प्लायीज़ को परेशान भी किया जाता है । मुझे इस प्रकार के बहुत से अनुभव हैं, लेकिन मैं एक दो ही आप के सामने रखना चाहता हूं । यह केस सेंट्रल रेलवे का है । एसेन्शल आपरेटिंग स्टाफ के लिये रेंट फ्री क्वार्टर्स या वेतन का १५ परसेन्ट देने की व्यवस्था है । १५, १६ लोग ऐसे हैं जिन को पूरा किराया दिया जाता था । बाद में यह केस कोर्ट में गये और उन का फैसला हुआ । सन् १९४७ से १९५० तक १५ प्रतिशत देने का निर्णय हुआ था । लेकिन अब तक १५, १६ रेलवे एम्प्लायीज़ को यह हाउस रेंट मिला नहीं है । सन् १९५४ में कोर्ट का फैसला हुआ था लेकिन सन् १९५८ तक उन की पे शीट नहीं बनाई गई थी । सन् १९५८ में जब पे शीट भेजा गया, तो आश्चर्य की बात है कि रेलवे बोर्ड ने अब पूछा है कि इतनी देरी में इनीशिएटिव क्यों लिया गया । सच बात तो यह है कि यह देरी ऐडमिनिस्ट्रेटिव डिले के कारण हुई है । मेरा कहना है कि १५, १६ केसेज़ चल ऐसे रहे हैं जिन का निर्णय अभी नहीं हुआ है । यह केसेज़ ऐसे हैं जिन में हर एक आदमी को हजार, बारह सौ रुपये तक देना है । मेरी प्रार्थना है कि इस बारे में ध्यान दिया जाये और उन का फैसला जल्दी किया जाये ।

Shri Naushir Bharucha: Sir, I shall be extremely brief. The first point that I desire to make is non-payment of overtime allowance to the staff in Bhusaval workshop. I am told by one hon. friend here that the Railway workshop staff numbering about 700 was made to work overtime on the promise that overtime will be paid. Actual pay bills for overtime were made, but afterwards the Railway Board said that as the Minimum Wages Act or the Payment of Wages Act do not apply to the Railways, no overtime could be given. So as a result of that work has been exacted from these people but no overtime has been paid to them. The point I want to make is this. Irrespective of any technicality, when workmen are made to work more than their scheduled time on promise of payment, the Railways must redeem that promise. That is my first point.

Secondly, with regard to the repair and maintenance of coaches, to which my hon. friend has already drawn attention, my experience is similar. I find that in the water taps in first-class compartments some kind of a spring is inserted in the taps with the result that it requires an athlete to push that water tap and when you push it the tap, the water instead of falling in the basin, is sprayed all over your body as if the Railway Board want to play some practical joke on the passengers.

Then, the pegs which are fitted there are such that on them you can hang anything except your clothes or your requirements.

There is a beautiful de luxe train running between Bombay and Delhi. It has got chairs which can be made to recline. They are push-back chairs. But if you once push it back it cannot come back to the reclining position or if it is in the reclining position it will not come back to the original position. Then there are hand rests which are falling out. If you happen to sit near the window, there is a button for the curtain to be fixed which knocks at your elbow every time you raise your hand

[Shri Naushir Bharucha]

I want to know who are the people, the so-called research designers, who attend to these matters. Then you will find the mirrors there. In the centre of the mirror there will be a big 'Indian Railways' mark in stencil or whatever it is called, with the result that you cannot see your face in it. Then there will be night lamps which will glare in your eyes. I want to ask, do the officers who always travel in saloons take the trouble of travelling in the first-class coaches at all?

An Hon. Member: Why should they?

Shri Naushir Bharucha: May I suggest that the hon. Railway Minister and the officers should abandon their saloons for six months and travel the way the masses and other people are travelling. Then they will soon discover these defects and know that nothing is being done about them.

An Hon. Member: He knows it well.

Another Hon. Member: His clothes will be spoiled.

Shri Jagjivan Ram: I travel by first-class.

Shri Naushir Bharucha: Then there is one important matter about which I have drawn the attention.....

Mr. Deputy-Speaker: If the hon. Minister and all of them have to find out all these defects, then what would the hon. Members be doing?

Shri Naushir Bharucha: I agree.

There is an important point regarding the working of automatic signals about which I have drawn the hon. Minister's attention. I had occasion to study this question in very great detail in connection with a damages suit of my client which, thanks to the generosity of the hon. Railway Minister and his human approach to this problem, was settled out of court. But I want to draw his attention to the fact that hundreds of signal failures occur in the course of a month. The National Railway Mazdoor Union has written to him about it and the letters have not been acknowledged. These signal failures continue. The automatic block system lends itself to accidents. Your general and subsidiary rules are so old—they were framed 50 years ago—that they require revision. I would earnestly appeal to the hon. Minister to put his experts on the job and find out how the thing can be rectified.

With regard to fuel consumption, the last point, I want to know whether it is possible for the Railways to have their own collieries so that they can maintain quality control and be assured of a regular supply. Why is it that we are not having our own source of coal so that—if we have our own collieries—from that we can be assured of a regular supply of coal?

श्री रघुनाथ सिंह (वाराणसी) : उपाध्यक्ष महोदय, त्यागी जी ने जो बातें इस सदन् के सम्मुख रक्खी हैं मैं उन का समर्थन करता हूं । पाकिस्तान ने जो समस्या हिन्दुस्तान के सामने रक्खी है उस समस्या को जब मुस्लिम लीग ने लाहौर में पाकिस्तान की मांग रक्खी थी तो उस ने कहा था कि पाकिस्तान बनने के बाद उन को एक कौरीडर भी मिलना चाहिये, इस तरह पाकिस्तान अपनी पुरानी डिमांड को फिर हमारे सामने रख कर मनवाना चाहता है । पाकिस्तान की मांग एक ऐसे कौरीडर की है जोकि नार्थ यू० पी० और नौर्थ पंजाब से ले कर के ईस्टर्न पाकिस्तान को अर्थात् आसाम और बंगाल को ज्वायन कर दे । अगर हम उन की इस रेल की मांग या कह सकते हैं कि ट्रान्सपोर्टेशन की प्राबलम को स्वीकार कर लिया तो इनडायरेक्ट वे में जो उन की पहले कौरीडोर की मांग थी उस को हम मान लेते हैं . . . . . .

Shri Jagjivan Ram: I would like to intervene at this stage so that such misunderstandings do not prevail among the hon. Members. There is no question of any corridor and no question of any train being run by Pakistan. The trains to be run will be run by the Indian Railways and Indian staff.

श्री रघुनाथ सिंह : मैं उसी बात को कह रहा हूं पाकिस्तान उस कौरीडोर को क्यों चाहता था। वह यह कौरीडोर इस वास्ते चाहता था कि ईस्ट और वैस्ट पाकिस्तान के बीच में आवागमन, परिवहन, यातायात और कम्युनिकेशन्स यह सब ठीक से चलता रहे। इसलिये मैं तो कहूंगा कि चाहे आप रेल चलाइये और चाहे पाकिस्तान रेल चलाये और चाहे कोई और रेल चलाये अगर ईस्ट और वैस्ट पाकिस्तान को आप ज्वायन करते हैं तो इनडारेक्ट तरीके से उन की जो लाहौर कान्फ्रेंस में कौरीडोर की पुरानी डिमांड थी उस को पूरा करते हैं। उन का वह कार्य पूरा हो जाता है। अपने कार्य में वे सफल हो जाते हैं .

Shri Jagjivan Ram: Then I would like to know as to what the suggestion of the hon. Member is. Does he want that there should be no transportation?

श्री रघुनाथ सिंह : जी हां मैं सजैशन दे रहा हूं। मेरा सुझाव यह है कि अगर इस प्रकार की कोई चीज हम ने हिन्दुस्तान में शुरू की तो वह चीज अच्छी नहीं होगी। ईस्ट और वैस्ट पाकिस्तान के बीच में करीब १५०० मील का फर्क है और इस के बीच में हम रेलगाड़ी दौड़ायें हम ट्रेन ले जायें और उन को इस तरह से इतनी बड़ी सुविधा दें तो हमें उस के बदले में क्या सुविधा मिलने वाली है .

श्री जगजीवन राम : ईस्ट पाकिस्तान में हमें भी तो उन से सुविधा मिलेगी।

श्री रघुनाथ सिंह : आप को जो सुविधा मिलेगी वह उस के मुकाबले में बहुत थोड़ी होगी जोकि आप उन को दे रहे हैं। आप को तो करीब ५० या १०० मील की सुविधा मिलेगी जबकि आप उन को इस तरह से १५०० मील की सुविधा देंगे। इस के अलावा अभी हमारा काश्मीर का मामला भी उन के साथ तय नहीं हुआ है और वहां पर सीज फायर लाइन मौजूद है और जब तक यह समस्या हल नहीं हो जाती हैं तब तक एक मुल्क को दूसरे मुल्क के भीतर से परिवहन और यातायात की जो सुविधा देने का तरीका अखित्यार किया जा रहा है यह दुनिया के इतिहास में एक नई बात होगी पाकिस्तान के साथ अगर हमारी संधि हो जाय और यह सीज फायर लाइन न रहे तब तो ठीक है और हम एक दूसरे को सहायता दे सकते हैं लेकिन जब तक हिन्दुस्तान और पाकिस्तान के बीच में यह चीज सीज फायरलाइन की समस्या है तब तक हम को इस प्रकार का परिवहन समझौता नहीं करना चाहिये। इस के अलावा इस के दूसरे इम्पलीकेशन्स भी हैं। हजारों आदमी रोज ईस्ट पाकिस्तान से वैस्ट पाकिस्तान जायगे और वैस्ट पाकिस्तान से ईस्ट पाकिस्तान जायेंगे लेकिन हमारे रेलवे मंत्री महोदय कम्युनिकेशन्स मिनिस्टर रह चुके हैं और वे जानते होंगे कि जो ऐयरोप्लेन मास्को जाता है काबुल जाता है, पाकिस्तान सरकार उस के लिये पेशावर और रावलपिंडी से हो कर जो सीधा रूट है उस से नहीं जाने देती और हमारे हवाई जहाज को लम्बे रूट से जाने देती है अर्थात् डेरागाजी खां और गजनी हो कर जाने देती है और वह ऐसा इस लिये करती है कि रावलपिंडी और पेशावर आदि जो बड़े और महत्वपूर्ण पाकिस्तानी स्थान हैं उन को हिन्दुस्तानी देख न सकें। वे नहीं चाहते कि दूसरे देश के आदमी उन के इंस्टालेशन्स को देखें और उन की दूसरी ऐक्टिविटीज को देखें। मेरा जो इस के लिये ऐतराज है उस में सीक्योरिटी की भी बात है। अभी भी हमारे सामने

[श्री रघनाथ सिंह]

पाकिस्तान के साथ नहरी पानी विवाद चल रहा है, सीज फायर लाइन बनी हुई है और फरक्का बैरेज का भी मामला तय नहीं हुआ है तो ऐसी हालत में करीब १०० मील की सुविधा के लिये जो यह हम १५०० मील की सुविधा पाकिस्तान को देने जा रहे है यह मेरी समझ में उचित नहीं जान पड़ती है । मेरा तो कहना है कि जब तक हमारी तमाम समस्यायें जैसे काश्मीर के सम्बन्ध में सीज़ फायर लाइन की, फरक्का बैरेज की और कैनाल वाटर डिस्प्यूट की हल न हो जायें और हमारे मैत्री संधि स्थापित न हो जाय तब तक इस तरह की बड़े पैमाने पर ट्रान्सपोर्टेशन और यातायात की सुविधा देना ठीक नहीं है ।

Mr. Deputy-Speaker: May I know how much time the hon. Minister would require?

Shri S. V. Ramaswamy: About ten or fifteen minutes.

Mr. Deputy-Speaker: Is it the desire of the House that we may push back the non-offical business by fifteen minutes?

Shri Jagjivan Ram: Yes, Sir.

Some hon. Members: Yes, Sir.

Some hon. Members: Tomorrow.

Dr. M. S. Aney: I will speak only one sentence, as promised. It is mainly about the question which was raised by my hon. friend, Shri Tyagi, as well as by other hon. friends. I am certainly one of those who would support anything that is likely to better the relations between Pakistan and India. But we know that these are matters which cannot be considered off-hand; and, particularly, it is very dangerous to consider such a matter piecemeal.

The idea of this link, something in the nature of a corridor, so to say, between Pakistan and India, even though it may be under your control, being your own line may be a dangerous precedent, unless care is taken to get adequate compensation for that from the other side.

Therefore, my humble request to the hon. Railway Minister is this. Don't be hasty in making a gesture. If you have to do it, try to get a comprehensive agreement between the two countries. Don't come to any hasty conclusion piecemeal this way or that way which will bring us into trouble. There are too many troubles already. Please don't add one more to it by taking a hasty step. That is all that I wish to say.

Mr. Deputy-Speaker: Shri Ram Krishan Gupta. He will be very brief.

Shri Ram Krishan Gupta *rose*—

An Hon. Member: It is half past Two.

Mr. Deputy-Speaker: The time is up. That is why I wanted to know the desire of the House whether the Members want me to take up the non-official business or to finish this and take up the non-official business after fifteen minutes.

Shri Supakar (Sambalpur): May I suggest that the time be extended?

Several hon. Members: Non-official business.

Mr. Deputy-Speaker: All right. If this is the desire of the House, I will ask the Minister also to bear with it. Then we will take it up on Monday.

Shri Tyagi: Sir, before you proceed to non-official business, may I enquire as to what would happen to this Representation of the People (Amendment) Bill? We are going to vote day after tomorrow. And the *zilla parishads* of U.P. have not yet been recognised by Parliament. The Election Commission have perhaps given some ruling, and the matter has been moved in the High Court on a writ petition. I wonder what, will happen.....

The Deputy Minister of Law (Shri Hajarnavis): May I say a word of explanation? We have taken the view that the members of the *zilla parishads* of U.P. are members of the district council within the meaning of article 171 of the Constitution and they are entitled to vote.

Shri Tyagi: How can that be?

Mr. Deputy-Speaker: The hon. Member would appreciate that it is not a question before us just now. I cannot answer hypothetical questions. When we take that up, the hon. Member might raise that point at that moment. Now that business is not before us.

Shri Braj Raj Singh (Firozabad): I have to seek your guidance, Sir, with respect to this Bill.

Mr. Deputy-Speaker: Which Bill?

Shri Braj Raj Singh: The Representation of the People (Amendment) Bill.

Mr. Deputy-Speaker: I am not here to give guidance on matters which are not before the House, unless the point comes before me.

Shri Braj Raj Singh: That is a question of my fundamental right.

Mr. Deputy-Speaker: No, no. No question of fundamental right. Order, order. The hon. Member would realise that it is not a matter that is before the House just now, and I cannot take up any issues that might be taken up subsequently, as to what the result might be, what the repercussions would be.....

Shri Braj Raj Singh: Sir, I am not talking of.....

Mr. Deputy-Speaker: I am not going to give guidance on matters....

Shri Braj Raj Singh: Sir, kindly hear me for half a minute. I had requested the Research Branch of your Library to give me some information about this Bill. They contacted the Election Commission. I am told the Election Commission issued certain directives to the U.P. Government, and the U.P. Government had asked the Election Commission about their advice. They say "those directives are confidential, we cannot give you". I am seeking your guidance as to whether you could direct the Law Minister to supply that information to us.

Mr. Deputy-Speaker: I am afraid I cannot direct the Law Minister to do anything in this matter. If the hon. Member has to tell me anything, he might see me, and if I can help him I will do so.

Shri Tyagi: When will this be taken up?

Mr. Deputy-Speaker: On Monday.

So we will now proceed to the non-official business. Sardar A. S. Saigal.

14.35 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

SIXTY-THIRD REPORT

Sardar A. S. Saigal (Janjgir): I beg to move:

> "That this House agrees with the Sixty-third Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 20th April, 1960".

Mr. Deputy-Speaker: The question is:

> "That this House agrees with the Sixty-third Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 20th April, 1960."

The motion was adopted

14.36 hrs.

RESOLUTION *RE*: ESTABLISHMENT OF VARIOUS DEFENCE COUNCILS—*contd.*

Mr. Deputy-Speaker: The House will now proceed with the further discussion of the following Resolution moved by Shri Uma Charan Patnaik on the 8th April, 1960:—

> "This House is of opinion that Army, Navy, Air Force and Production Councils be established together with an over-all Defence Council to co-ordinate and control their activities."

Out of an hour and a half allotted for the discussion of the resolution, 39 minutes have already taken up.

Is any hon. Member on his legs? I understand there is none.

An hon. Member: Mr. Patnaik is not here.

Mr. Deputy-Speaker: That does not matter. Shri D. C. Sharma.

Shri D. C. Sharma (Gurdaspur): Sir, I appreciate very much the pains taken by Shri Patnaik so far as thinking on our Defence matters is concerned. He is one of the few Members of this House who, to a great extent, are thinking on this subject, a subject of great importance to my country and also to other countries of the world. But difficulty is this, that defence, the art and science of defence, is undergoing a transformation every minute. So far as defence matters go, we are not here today very well adjusted. So far as the defence organisation goes, things are rapidly changing. So far as defence production goes, things are undergoing revolutionary changes. So far as strategy goes, the less I say about it the better. I must say that the strategy of the Second World War is now a thing of the past. The production which was necessitated by that war is not now needed. To think of the reorganisation of the defence forces now in terms of what obtained in U.K. some years ago or in some other country some years ago is, I would submit very respectfully, a piece of outmoded thinking; it is a piece of obsolete thinking.

When I was a teacher in a college, I used to find that most of the teachers used to talk about the things at Oxford and Cambridge which had become outmoded there twenty years ago. I remember one writer, one critic, about whom we felt very great enthusiasm. But when I happened to talk about him to a gentleman who had come from Oxford and I thought I was giving him some piece of information which was very useful, he said to me "This was a man who was a vital figure in Oxford twenty years ago, but now he has been put on the shelf there; other people have taken the place and his theories have become outmoded".

Similarly, these Defence Councils might have worked very well in U.K. at one time. They might have worked wonderfully, for aught I know. Lord Ismay might have spoken very highly about them. But nobody talks about them now.

But even if they were very good things for U.K., I would submit very respectfully that my country has got to evolve a defence pattern which is going to be its own. We may learn a few things from here and there. But we cannot copy things from other countries. In the first place, other countries have many more resources in terms of money, material, thinking on strategy and actual experience of fighting than we have. What is our experience of fighting? Of course, we have had some experience of fighting in Kashmir, and a very valuable experience, but this experience cannot compare very favourably with the experience of the U.K. which fought the first and second world wars.

So far as defence industries go, I know we are doing very well, but what are our defence industries compared to the defence industries of a country like the Soviet Union or the U.K.? So, India has got to fulfil its destiny in the field of defence all along the line in its own way. It cannot copy things from others.

In the U.K. they have three Defence Ministers, controlling the three services, by whatever special names they are called, but here in our country we have only one Defence Minister, and I think it is very good because it makes for unity of thought, unity of purpose, unity of direction, in matters of defence. Therefore, if they have three Ministers, we have only one.

Shri M. B. Thakore (Patan): And two Deputy Ministers and one Parliamentary Secretary.

Shri D. C. Sharma: I have all respect for the two Deputy Ministers, and I have affection for the Parliamentary Secretary, but I am not talking in terms of Deputy Ministers and Parliamentary Secretaries at this time, I am talking in terms of Ministers, full-fledged Ministers of Cabinet rank.

These councils were created there so that inter-service rivalries could be minimised, so that there could be meetings between one group and another, so that some kind of coordination could be introduced into the defence pattern. I do not think that is our problem at this time. Our problem is not the same as the problem of U.K., U.S.A., or to other countries. It is because in the first place, we have the Defence Committee of the Cabinet. At the meetings of that committee, the three Chiefs of Staff are also invited sometimes. I am speaking subject to correction. Since nobody has contradicted me, I think what I have said is correct. Then there is the Defence Committee of the Minister where all these three Chiefs are represented. There is also the Defence Production Committee. So, I submit that so far as organisational matters are concerned, they are being looked after very properly by these different committees.

So far as our strategy is concerned, no committee can give guidance on the subject. So far as production goes, we have the Defence Production Committee which is representative of the three services. So, I submit that the system recommended is not something which is needed in the country.

It has been said that this is something which the Estimates Committee has recommended. I have all respect for the Estimates Committee, and I have no end of respect for the Members of the Estimates Committee, but, after all, what the Estimates Committee has said is only a suggestion. The Estimates Committee has not given a directive. It is a fruitful idea given to us by the Estimates Committee, and after looking at that idea in the context of our needs and of our defence aspirations, I would say that it is not necessary to have anything of this kind in our country.

I therefore say that our defence set-up so far as organisational matters go should remain as it is, and there should be a direct link between our three Chiefs and the Defence Minister, and between the Defence Minister and the Defence Committee. At the same time, there should be a direct link between our defence production and our Defence Minister. I think for the time being this is something that is working well, and we should not try to introduce anything new into this.

The Minister of Defence (Shri Krishna Menon): Mr. Deputy-Speaker, I am sure the House is much beholden to the hon. Mover of this resolution whose presence we, unfortunately, do not have here today, for drawing its attention to the question of the defence control by Parliament—that is what it really boils down to—

[Shri Krishna Menon]

but I would like to assure you Mr. Deputy-Speaker and the House that while this topic turns up as more or less a hardy annual, Government has not treated it as though it is a matter of no consequence, more so because it provides an opportunity to explain to the House how the defence organisation works and to what extent nomenclatures reflect the content of organisations.

The arguments that have been adduced in favour of this are largely British experience, and the merit of the thing itself has not been before us as a proposition. So far as British experience goes, the three arms of the defence services came in to being in different chronological order. In British Governments, the Secretaries of State as they were called took precedence over other Ministers. There were originally five Secretaries of State, to which afterwards were added on two others. At that time the most important Minister in the defence field was what was called the Secretary of State for War, whom we do not have here. Later I believe came the Board of Admiralty, or many be before that. It is a Board consisting of the Sea Lords, presided over by the First Sea Lord. Later came the Secretary of State for Air and Air Comd., a few years before the war, or perhaps immediately before the outbreak of the war. These gentlemen, the Secretaries of State, were full members of the Cabinet, and they occupied that place. Though even now they are called Secretaries of State, they are Ministers outside the Cabinet. They are junior Ministers in that sense, although I do not want to make any observation about another Government that is functioning, except for the purpose of understanding this matter.

Then emerged the Minister of Defence who gradually, during the war, became fully responsible. First it was Mr. Winston Churchill presiding as Prime Minister, and later on the Minister of Defence became the co-ordinating authority and now increasingly he is the Minister for the whole field of defence, production many being largely assigned to what was the Ministry of Supply, which within the last twelve months has changed, and has gone back to the defence field for the most part.

We are told that British experience or the experience of other countries is not to be thrown away. I yield to no one in my respect for the experience of other lands over the years or centuries as the case may be, but it should not be forgotten that there is a whole world and our own experiments drawn from. It is only in the U.K. and Australia that there is this system of council governments.

Apart from that, on merits, the reasons given for this change are these. First of all, if there are these councils, the access to the Minister of Chiefs of Staff would not be an individual approach, but the approach of the Chief and P.S.Os. That is one argument. Though it is not put that way, that is the basic argument in this matter. The second is that the Minister of Defence would not try to engage himself in too much detail which may either be out of compassion for the poor Defence Minister, or it may be the feeling that he ought to be more democratised or controlled or committeed or something of that character.

Since the debate does not seem to have excited very much of interest today, I shall just deal with the essential parts of this problem, and I shall try and tell the House what the position in our country is and to what extent control is exercised on a better basis than the proposals envisage.

This matter came up before government soon after Independence, because before Independence, we had no difficulties in this matter, as the Indian Army which was the largest

part of our Defence Forces functioned largely under the War Office, and the Commander-in-Chief who was also the Defence Minister was the second member of Government. So, these problems did not arise.

Soon after Independence, we took counsel; Government took counsel at that time, of the experienced men. I do not think there is any harm in saying that Lord Ismay, who had a very long experience of the British war system, and I believe, was Chief of the Imperial General Staff, advised us on this matter, and the present system was set up.

Having said that, I think it is worth the while to institute some comparison, not phrase by phrase, not point by point, with the British system as it obtains. In Britain, there is the Defence Minister at the top; then, there are these councils so-called, the Board of Admiralty, the Army Council and the Air Council. They are today all under the Defence Minister. The Defence Minister can preside over them, if he wants to; the Chiefs of Staff come to the meetings, and there is now a Chief of the Chiefs of Staff also presides over them normally. On the other side, there is another organisation, which the House has probably heard of already, namely what is called the Board. It is that Board whose functions are in reality more important. That board is more or less identical with the Defence Minister's committees here. It is that board which really operates the whole system of defence organisation and maintains contact with the Minister who is responsible to Parliament.

Over here, when Lord Ismay made these proposals, at our request we accepted them. It has worked well for all these years, to our great satisfaction. And it is not static; it moves on according to the necessities of functions.

At present, what happens here is this. Taking it from the top, there is the Defence Committee of the Cabinet presided over by the Prime Minister, in which are the more important service organisations like the Ministry of Home Affairs, the Ministry of Finance, the Ministry of Communications, Minister of Railways, Minister of Industries, and I forget who else, and the Minister of Defence, and all those Ministers who may have a great deal to do with council of defence problems specially in times of emergency, that is to say, the senior Ministers, but Ministers of Government, or I should not say senior Ministers, of Government, or I should not say senior Ministers, but Ministers of Government whose functions are regarded as important for the purpose by the Prime Minister. That is the Defence Committee of the Cabinet, which, in fact, functions for the Cabinet.

So, any matter which should be referred to the Cabinet goes to the Defence Committee of the Cabinet. It is entirely open to the Prime Minister whether he wants to inform or obtain the approval of the full Cabinet, because the former is really the replica of the latter. That is the higher form of control which is exercised on the whole of defence policy, defence organisation, and defence administration, and both the Prime Minister, and the Defence Minister and other Members are all part of one Government and they are responsible to this House and to Parliament.

Secondly, from that level you come to the next one, which has been given the name—I did not give it, but it was started as—such the Defence Minister's committee. Now, there is the Defence Minister's Committee (General), which is presided over by the Defence Minister, and at which are present the Deputy Ministers, the Defence Secretary, the Chief of Staff and the Chief of Production, and nowadays, the Chief of the Defence Science Organisation, and the Financial Adviser. In our system, the presence of the Financial Adviser is very important because nothing can

[Shri Krishna Menon]

be done unless there is financial concurrence at every stage. That is a large Defence Committee. But, in practice, this Defence Minister's committee is attended by any member of the Services or of the Defence Ministry, who is required for functional purposes. Usually, they are large meetings, because the other people, maybe the adjutant-general or maybe the quarter-master-general or maybe the Chief of General Staff on the Army side or maybe, the Engineer-in-chief, whoever is required is present, and usually, there are a certain number of officers present at this. That is the general committee.

In addition to that are three committees, representing the Army, the Air Force and the Navy. In these committees, only the Service Chiefs representing these Services attend; all the others are just the same.

Shri D. C. Sharma was referring to the Defence Minister's Production Committee, which assumes more and more importance as the days have gone by, where all the Service Chiefs are present as users, the producers are present, the manufacturers, that is, the Controller-General of Defence Production, the Secretary who looks after Defence Production, and so on. This committee has functioned extremely well.

Then, there is also the Defence Minister's committee for Research and Development, in which the principal officers concerned is the Chairman of the Defence Science Organisation.

These bodies are not advisory nor have they extreme authority because, after all, the responsibility of Government is in the Minister, that is to say, the Minister is responsible to Parliament; he could not come here and say that the Defence Minister's committee voted this way or that way; he may persuade them, or they may persuade him. Anyway, I do not know what my predecessor Shri Tyagi had found, but I have found no occasion when somehow or other there could not be any agreement on all matters. These are not committees where votes are taken any more than in the Cabinet. Anyway, these committees process matters. They help in the execution as the functional bodies.

The point has been made that there is no statutory existence. If you mean that there is no statutory existence in the sense that it is not provided in any of the legislation passed, there may be some degree of truth in it. But if the Council of Ministers has a statutory existence, and the charge that is given to them has some statutory meanings, then the arrangements set up under that also have statutory meaning.

So, these committees really take the place of the Board in England. The British system as such does not obtain even in the other Dominions or other Commonwealth countries, much less in other places. The American system is very much like ours in some respects, though I do not want to go into greater details about it.

We have developed this to a considerable extent ourselves. I would like to add at this stage that the trend of development in the United Kingdom has been more in the way we have been working rather than in the way they have been working in the past, that is to say, modern developments are more in this direction, especially with the expansion of the services and the intensity of the factors that are brought to bear upon them.

Therefore, there is nothing in these suggestions, which has been made, which we have not considered. We have considered these things time after time, and they have not been found useful, whether they came from the Estimates Committee or from anywhere else.

There is no desire on the part of Government to say that what has been must be. In fact, changes have

taken place in the last ten years; changes have taken place during the last two years, during the last three years or one year or whatever it may be, according to the necessities.

The main point is the responsibility of Government to Parliament. So long as Government is responsible to Parliament, these functional organisations cannot be criticised, suggestions can be made about them in the light of experience which might come to the knowledge of Members or any lapses or any prospects of better functioning that Members may see by their own knowledge or their own experience.

I yield to none in my regard for Shri U. C. Patnaik for the persistence with which he has put forward this idea and also for the occasion that he has given to Parliament to discuss these matters which are somewhat different from the other matters we are nowadays discussing in connection with Defence.

So, I am glad to have this opportunity of talking about this. I want to assure the House that the Defence Organisation and its functional bodies are satisfactory in character. They provide for team spirit. They do not take away from the responsibility of the Service Chief and Chief officers.

The idea that the access to the Defence Minister should be not only of the Chiefs of Staff but that of the PSO's can only be a matter of normal adjustment depending on how things work out, because, after all, the Chiefs are Chiefs of the Services, and in the kind of hier-archial structure, discipline has to be maintained. But I have found no difficulty in their access to me or my access to them. In a democratic Government, especially in a parliamentary system of government, it is largely a matter of how things work out. And the working out, in my experience and in the experience of my predecessors, has been satisfactory. It enables development; it is flexible in its way, and as I said, in essence, it is what obtains in U.K. also.

Government wish to oppose this resolution.

15 hrs.

Mr. Deputy-Speaker: There was an amendment to this Resolution moved by Shri Shree Narayan Das. He is also absent. So, I shall have to put the amendment first and then the Resolution. (*Interruptions*).

Because the amendment has been moved I have to put it to the House. That cannot be withdrawn when the Member is absent.

I will put the amendment. The question is:

For the original Resolution, *substitute*—

> "This House is of opinion that a Committee be appointed to consider the necessity, desirability and feasibility of establishing Army, Navy, Air Force and Production Councils together with an overall Defence Council to co-ordinate their activities."

The motion was negatived.

Mr. Deputy-Speaker: Now the question is:

> "This House is of opinion that Army, Navy, Air Force and Production Councils be established together with an overall Defence Council to co-ordinate and control their activities."

The motion was negatived.

RESOLUTION RE: WITHDRAWAL OF KASHMIR CASE FROM U.N.O.

Mr. Deputy-Speaker: Now, we take up the next Resolution. Shri Tariq.

Shri A. M. Tariq (Jammu and Kashmir): Mr. Deputy-Speaker, I beg to move:

> "This House is of opinion that on account of the failure of the

[Shri A. M. Tariq]

United Nations Organisation to call upon Pakistan to vacate aggression in Kashmir, the Government should withdraw its complaint from the United Nations Organisation as a measure of protest."

श्री अ० मु० तारिक : जनाब डिप्टी स्पीकर, यह जो रेजोल्यूशन मैं ने अभी इस ऐवान में पढ़ा है मैं उस की अहमियत से बखूबी वाकिफ हूं और इस रेजोल्यूशन की अहमियत इस से भी बढ़ती है कि यह खुद एक काश्मीर के रहने वाले काश्मीरी ने पेश किया है . . . .

एक माननीय सदस्य : आप अंग्रेज़ी में बोलिये ।

श्री अ० मु० तारिक : मैं चाहूंगा कि बराय मेहरबानी हाउस में खामोशी रहे ताकि मैं आप के सामने अपनी बात ठीक से रख सकूं ।

जहां तक अकवाम मुत्तहिदा का ताल्लुक है मैं उन लोगों में से हूं जिस ने कि हमेशा इस जमात की हिमायत की है और यह कि मुस्तकबिल में भी आयन्दा आने वाले जमाने में भी अकवाम मुत्तहिदा की मैं बहैसियत एक हिन्दुतानी के हमेशा हिमायत करता रहूंगा । मैं यह समझता हूं कि अकवाम मुत्तहिदा एक ऐसी जमात है जिस के कि जिम्मे यह फर्ज है कि वह दुनिया के मुल्कों के पेचीदा मसायल को हल करने में मदद दे लेकिन मिस्टर डिप्टी स्पीकर, मुझे इन्तिहाई अफसोस के साथ यह कहना पड़ता है कि जहां तक अकवाम मुत्तहिदा के इस काम का ताल्लुक है इस में कोई शक नहीं है कि कई बातों में अकवाम मुत्तहिदा ने इन चीजों को सुलझाने में काफी काम किया । सिर्फ काम को सुलझाना ही जरूरी नहीं है जरूरत इस बात की है कि हिन्दुस्तान ही नहीं बल्कि दुनिया के लोगों को अकवाम मुत्तहिदा में और अकवाम मुत्तहिदा में जो बड़ी बड़ी ताकतों के नुमायंदे हैं उन पर हम को ऐतमाद होना चाहिये । सब से बड़ा काम जो अकवाम मुत्तहिदा का है वह यह है कि लोगों के दिलों में अकवाम मुत्तहिदा के लिये ऐतमाद कायम किया जाय और पैदा किया जाय ।

जहां तक इस रेजोलूशन का ताल्लुक है जनाबवाला आप और दुनिया के लोग इस से वाकिफ हैं कि आजादी से पहले काश्मीर हिन्दुस्तान का हिस्सा था । सिर्फ आजादी से पहले ही नहीं तवारीख गवाह है कि सदियों से हिन्दुस्तान और काश्मीर एक ही नकशे पर रहे हैं । एक ही जमीन के टुकड़े रहे हैं और काश्मीर और हिन्दुस्तान कभी अलग नहीं हो सकते ।

जनाबवाला काश्मीर में एक तहरीक चली थी नेशनलिज्म की और वह तहरीक वहां के लोगों में यह चीज पैदा करने के वास्ते चली थी कि काश्मीर काश्मीरियों का है बिल्कुल उसी तरीके से जिस तरीके से कि गुजरात गुजरातियों का है लेकिन इसके बावजूद चाहे वह गुजराती हो या काश्मीरी बुनियादी तौर पर हम सब हिन्दुस्तानी हैं । हमने नेशनलिज्म का नारा लगाया । हमने नेशनल कान्फ्रेंस के झंडे के नीचे आजादी की एक जंग लड़ी । यह एक हकीकत है कि काश्मीर की आबादी की अक्सरियत मुसलमानों की है और काश्मीर की उस वक्त जो हुकूमत थी वह एक गैर मुस्लिम के हाथ में थी लेकिन तवारीख इस बात की गवाह है कि हिन्दुस्तान की सब से बड़ी जमात कांग्रेस ने और आल इंडिया स्टेट्स पीपुल्स कान्फ्रेंस ने जिसके कि नेता आज यहां मौजूद हैं, हमेशा काश्मीर के लोगों का साथ दिया यह देखे बगैर कि काश्मीर की अक्सरियत किन की है और काश्मीर का राजा कौन है । काश्मीर का मसला मजहबों का मसला नहीं है । यह मसला है सियासी इक्तसादी और इसी तरीके से हमको इसे तय करना होगा । आजादी से पहले मुस्लिम लीग के नेता मिस्टर जिन्ना काश्मीर

आये । उन्होंने बहुत कोशिश की इस बात की कि काश्मीर के मुसलमानों को इस जाल में लाया जाय, फिरका परस्ती के जाल में लाया जाय और हालांकि काश्मीर एक सरहदी जगह थी तवारीख इस बात की गवाह है कि जहां मिस्टर जिन्ना को फौज, पुलिस और मजिस्ट्रेट की हिमायत में निकलना पड़ा और वह इसलिए कि काश्मीर के लोग मजहब के नाम पर किसी बीज का मसला करना नहीं चाहते थे । उसके बाद जनाबवाला तवारीख इस बात की भी गवाह है कि काश्मीर के लोगों ने एक तहरीक चलाई "काश्मीर छोड़ दो" और वह तहरीक शख्सी राज के खिलाफ थी और एक राजा के खिलाफ थी और उस तहरीक में हिन्दुस्तान की जमातों ने हमारा साथ दिया । खुद हिन्दुस्तान के सबसे बड़े आदमी, महात्मा गांधी, वहां गए, कश्मिरियों का साथ देने के लिए । यह वह वक्त था जब एक तरफ तो हिन्दुस्तान की किस्मत का फैसला किया जा रहा था और दूसरी तरफ हिन्दुस्तान के जो उस वक्त वाइसराय थे, लार्ड माउंट बैटन, उनके इशारे से काश्मीर में पंडित जवाहरलाल नेहरू को गिरफ्तार किया जाता है, सिर्फ इसलिए कि उस वक्त कांग्रेस के प्रेसिडेंट पंडित जवाहर लाल नेहरू वहां के लोगों की हिमायत करने जाते हैं । यह वह तहरीक थी जिसकी तमाम लोगों ने, सिखों ने, हिन्दुओं ने, मुसलमानों ने, हिमायत की, लेकिन दूसरी तरफ मस्लिम लीग और मिस्टर जिन्ना थे । मिस्टर जिन्ना के ये अल्फ़ाज़ आज भी कश्मीरियों के सीनों में व दिलो-दिमाग में दर्द पैदा करते हैं कि यह तहरीक गुंडों की तहरीक है । मैं यह कहना चाहता हूं कि हिन्दुस्तान का और कश्मीर का एक ताल्लुक रहा है, सियासी भी और समाजी भी । इसके बाद जब हिन्दुस्तान तकसीम होता है, तो बावजूद इसके कि हमने प्रोटेस्ट किया कि रियासत कश्मीर का फैसला रियासत के लोग करेंगे, चन्द राजे महाराजे नहीं करेंगे, मुझे इन्तहाई अफसोस है कि चन्द लोगों ने जो इस वक्त हम में हैं, हमारी बात नहीं मानीं क्योंकि वह उस वक्त हमारे मुखालिफ थे । उस वक्त की सरकार ने भी यह बात नहीं मानी । लेकिन फैसला हुआ और हिन्दुस्तान और पाकिस्तान बन गया हिन्दुस्तान के लोगों के मश्वरे के खिलाफ।

उसके बाद जब कि कश्मीर के नेता जेलों में ही थे कश्मीर पर हमला होता है, पाकिस्तान की तरफ से, कबायली हमला करते है । और जब लोगों का कत्लेआम होता है तो इस बात का कोई लिहाज नहीं किया जाता कि मक़्तूल हिन्दू या मुसलमान है । कश्मीर के अमन को तहेतेग किया जाता है जनाबवाला मेरे पास सबूत हैं इन चीजों के, इनवेजन आफ काश्मीर, और दी बर्निंग आफ बारामूला । इन चीजों की इतला दुनिया के लोगों को है कि वहां उस वक्त सिर्फ मंदिरों को ही नहीं ढाया गया, बल्कि गिरजों को भी मिसमार किया गया और गिरजों में पादरियों और ननों पर गोलियां चलायीं गयीं । मुसलमान औरतों के कान काटे गए क्योंकि उनमें जेवरात थे । यह तारीखी हकीकत है । हमें शिकायत इसलिए है कि हम पर बगैर किसी शराइत के, बगैर किसी इश्तियाल के और बगैर किसी वजह के यह हमला किया गया, और हमले का मुकाबला हमारी फौज ने जिस बहादुरी से किया वह एक हकीकत है । अगर उस वक्त हिन्दुस्तान के सब से बड़े आदमी, महात्मा गांधी और हमारे वज़ीर आजम मिस्टर जवाहरलाल नेहरू हिन्दुस्तानी फौज के हाथ न रोकते तो यकीनन आज हमारी हद कोहिला नहीं बल्कि रावलपिंडी होती । लेकिन सिर्फ इसलिए कि हम दुनिया में अमन चाहते हैं, हम दुनिया में अमन कायम करना चाहते हैं, हम दुनिया की कोई जमीन तलवार के बलबूते पर नहीं लेना चाहते, हमने अकवाम मुत्तहिदा की इस बात को माना और सीज़-फायर लाइन पर इकरार किया । इसके बावजूद हमने एक शिकायत पेश की अकवाम मुत्तहिदा में । वह शिकायत बिल्कुल मुख्तसिर थी, बिल्कुल सादे अल्फाज में थी और वह

[श्री अ०मु० तारिक]

थी कि हुजूर, अकवाम मुत्तहिदा के नुमायन्दो, हम कश्मीरियों पर जो हिन्दुस्तान के बाशिन्दे हैं एक हमसाया मुल्क की तरफ से जो हमला हुआ है, उस हमलाआवर को वहां से निकालिए और कश्मीर के उस हिस्से को जो कि गैर मुल्की कब्जे में है कश्मीर की हुकूमत के हवाले कीजिए। हमारी इस शिकायतको उस वक्त मरहूम श्री गोपालास्वामी आयंगर ने पेश किया था। जिस वक्त ५ फरवरी को उन्होंने यह शिकायत पेश की उस वक्त उन्होंने सिर्फ यह गुजारिश की कि मुझे उस मसले पर जो बरतानवी नुमायंदे नोयल बेकर ने पेश किया है बोलने की इजाजत दी जाए। जनाब वाला, शुरू से ही अकवाम मुत्तहिदा में बरतानवी नुमायन्दे और अमरीकी नुमायन्दे ने कश्मीर के मसले की मुखालिफत की। अकवाम मुत्तहिदा में इन दोनों ताकतों का दोनों ताकतों का मकसद सिर्फ हिन्दुस्तान की आजादी से इन्तिकाम लेना था। बहरहाल में आगे चलकर इन तमाम मुआमलात को आपके सामने रखूंगा। लेकिन मैं बुनियादी तौर पर उस नीयत का, जो अकवाम मुत्तहिदा की बड़ी बड़ी ताकतों ने हिन्दुस्तान के मसले की तरफ रखो है, परदा फास करना चाहता हूं।

उपाध्यक्ष महोदय : एक मिनट के लिए मेम्बर साहब मुझे माफ करेंगे। मुझे यह सुनकर खतरा पैदा होरहा है कि वह आगे चल कर कुछ चीजें और पेश करेंगे। तो मैं उनकी तवज्जह दिलाना चाहता हूं कि इस में वक्त सिर्फ डेढ़ घंटा ही है। इसमें से मैं मेम्बर साहब को ज्यादा से ज्यादा २० मिनट दे सकूंगा।

श्री अन्सार हरवानी (फतेहपुर) : इसका वक्त अगर दो घंटा कर दिया जाए तो बहुत मुनासिब होगा।

उपाध्यक्ष महोदय: दो घंटे भी हो जाएं तो आप देखें कि मेरे पास १२ नाम तो आ चुके हैं, और इनके अलावा १२ और खड़े होंगे। अगर आप चाहते है कि इस रिजोल्यूशन पर आज ही बहस खत्म हो जाए, तब तो यह पांच बजे से आगे नहीं जा सकता। दो घंटे भी पांच बजे तक खत्म हो जायेंगे। लेकिन अगर आप इसका अगले सेशन में ले जाना चाहते है तो आपकी मर्जी।

श्री अ० मु० तारिक : मैं यह नहीं चाहता। मैं अब तक कितना वक्त ले चुका हूं?

उपाध्यक्ष महोदय : आप करीब आठ मिनट ले चुके हैं।

श्री अ० मु० तारिक : मैं १५ मिनट में खत्म कर दूंगा।

उपाध्यक्ष महोदय : १५ नहीं दस मिनट में खत्म कीजिए। अच्छा बोलिए, १५ मिनट ही ले लीजिये।

श्री अ० मु० तारिक : मैं भूल गया कि मैं कहां बोल रहा था। उस वक्त श्री गोपालास्वामी आयंगर ने जब इजाजत चाही थी तो इस बात का तमस्वर उड़ाया गया, जिससे साफ जाहिर है कि उस वक्त अक़वाम मुत्तहिदा की बड़ी बड़ी ताकतें सिर्फ पावर पालिटिक्स की वजह से कश्मीर के मसले की मुखालफत करती थीं। वह काश्मीर के हमले की बुनियादी की तरफ नहीं जाना चाहते थे। बल्कि उनके सामने यह तस्वीर थी कि हमला किसने किया है और किस पर किया है। उस वक्त जब मैं अकवाम मुत्तहिदा में एक मुद्दई की हैसियत से गया था इन्साफ के लिए, तो मुझे उम्मीद थी कि अकवाम मुत्तहिदा में मेरे साथ इन्साफ होगा, लेकिन मेरे साथ इन्साफ नहीं हुआ। जनाब वाला, आज से बहुत वर्ष पहले मैं ने एक मिसाल सुनी थी कि चचा चोर भतीजे काजी। लेकिन अकवाम मुत्तहिदा में जाकर मुझ को मालूम हुआ कि भतीजे काजो और चचा चोर। जनाब वाला इस वक्त मेरे

सामने अकवाम मुत्तहिदा की जो शक्ल है वह यह है जिसको त्यागी साहब बखूबी समझेंगे ।

वही कातिल, वही शाहिद वही मुन्सिफ ठहरे,
अकरबा मेरे करें कत्ल का दावा किस पर ।

आज जो मेरे सामने अकवाम मुत्तहिदा की शक्ल है उसमें मुझको यह नहीं दिखता कि मेरे ऊपर हमला पाकिस्तान ने किया या अमरीका के हथियार ने । इस साजिश के पीछे सिर्फ पाकिस्तान ही नहीं है बल्कि इसके पीछे इंगलैंड और अमरीका का दिमाग भी है ।

जनाब वाला, जब हमारी शिकायत अकवाम मुत्तहिदा में जाती है तो उसकी पहली बैठक में पाकिस्तान के नुमायन्दे सर जफरुल्लाँ इससे भी इन्कार करते हैं कि हमने हमला किया । उन्होंने कसमें खायीं कि हमारा इस हसले से कोई ताल्लुक नहीं है । जनाब वाला, कसमों के बारे में आज से बहुत साल पहले शेक्सपियर कह गया है :

They swear, priests and cowards.

लेकिन मुझे मालूम नहीं था कि जिन्ना साहब प्रीस्ट भी हैं और कावर्ड भी । इसके बावजूद भी जब पहली बार यूनाइटेड नेशन्स का कमीशन हिन्दुस्तान में आया तो इस बात का ऐतराफ किया जाता है कि हम हमले में शामिले हैं, हमारी फौजें कश्मीर में हैं । उसी वक्त मिस्टर जिन्ना ने हमारे वजीर आजम को एक खत लिखा था और उसमें गुजारिश की है कि वह लाहौर आ जाएं तो हम इस हमले को रोकें । हमले से शुरू में उन्होंने इन्कार किया था ।

उपाध्यक्ष महोदय : मैं आपको यह राय दूंगा कि हमारे उनसे चाहे जो भी इख्तिलाफ हों, मगर एक ऐसे आदमी के खिलाफ जो कि मर चुका है ऐसे अल्फाज इस्तेमाल नहीं करने चाहिए । यह मुनासिब नहीं मालूम होता । इस वक्त जो इसके मैरिट हैं उन पर आप बोलें लेकिन किसी मुल्क के नुमायन्दे के लिए ऐसे अल्फाज का इस्तेमाल न करें ।

Shri Mahanty (Dhenkanal): We cannot follow a single word of what the hon. Member says. Let him speak in English, Sir, or in Hindi.

Mr. Deputy-Speaker: I cannot compel him to speak in English; that is for him to choose.

श्री अ० मु० तारिक : मैं इस बात का ऐतराफ करता हूं कि किसी मुर्दे की बुराई नहीं करनी चाहिए, लेकिन तारीख तो तारीख है, उसको शराफत से नहीं धोया जा सकता । बावजूद इसके मुझे आपकी बात का ऐतराफ है ।

लेकिन पिछले चन्द सालों में जो हमने अकवाम मुत्तहिदा का हाल देखा है उसको देखने के बाद हमको यकीन नहीं कि हमको इन्साफ मिलेगा । हमको ऐतमाद दिलाया गया अकवाम मुत्तहिदा की तरफ से कि कश्मीर की मौजूदा सरहदों पर कोई गड़बड़ नहीं होगी लेकिन मैं आपके जरिए और इस एवान के मेम्बरान के जरिए हिन्दुस्तान के लोगों की तवज्जह इस तरफ दिलाना चाहता हूं कि जो मंगला डैम बनाया जा रहा है वह हिन्दुस्तान की आजादी पर एक हमला है । मंगला डैम के बारे में हम लोगों ने, हिन्दुस्तान के लोगों ने, और पाकिस्तान में जो कश्मीरी हैं उन्होंने अहतजाज किया, उस अहतजाज का जवाब पाकिस्तन ने उन लोगों के सीनों को गोलियों से छलनी करके दिया । लेकिन अकवाम मुत्तहिदा ने क्या किया ? आज हमारी सरहदों पर, हिन्दुस्तान और पाकिस्तान दोनों तरफ अकवाम मुत्तहिदा के आबजरवर हैं । लेकिन पिछले दो साल में सन् १९५८ और १९५९ में तकरीबन डेढ़ सौ मर्तबा हमारी सरहदों पर हमले हुए । अकवाम-मुत्तहिदा ने सिवाये इस के कि हमारे प्रोटेहट काग़ज़ी शक्ल में ले कर उन को अकवामे-मुत्तहिदा तक पहुंचाया और कुछ किया नहीं । हमारी रियासत में ५२ केस हुए बम फेंकने के, जिन में पाकिस्तान के उस वक्त के वज़ीरे आज़म भी शामिल थे । उन के मुताल्लिक भी

[श्री अ मु ताकि]

अकवामे-मुत्तहिदा ने कुछ नहीं किया । हम जानते हैं कि इन तमाम चीजों में अकवामे-मुतहिदा का हाथ है, अकवामे-मुतहिदा में उन ताकतों का हाथ है, जो अकवामे-मुखहिदा को बदनाम करने के बायस हैं और आज जिम्मेदार हैं इस बात की कि हम हिन्दुस्तान के लोगों का, मुझ काश्मीरी का अकवामे-मुतहिदा पर कोई एतमाद नहीं रहा है । जनाबे वाला, यही नहीं, अकवामे-मुतहिदा के मेम्बर मुल्कों की आंखों के सामने, उन की इमदाद से और उन के पैसे से चितराल और गिलगित में जो हो रहा है, उस की तरफ़ भी आप तवज्जह दें । गिलगित में जो हवाई अड्डे बनाए जा रहे हैं, वहां जो बड़े बड़ी सड़कें बनाई जा रही हैं, ये कौन बना रहे है? अकवामे-मुतहिदा के मेम्बर बना रहे हैं । चितराल में जो सड़कें बन रही हैं, वहां जो हवाई अड्डे बन रहे हैं, ये कौन बना रहा है? अकवामे-मुतहिदा के मेम्बर बना रहे हैं । मांगला डैम के लिए लाखों पाउंड किस ने मंजूर किए हैं? अकवामे-मुतहिदा के एक जो-इज्जत मेम्बर हकूमते बरतानिया ने । इस के बावजूद हम को यह यकीन दिलाया जाता है कि अकवामे-मुतहिदा हमारा फ़ैसला करेगा और हमारे साथ इंसाफ़ करेगा । म हुकूमते हिन्दुस्तान से और हुकूमते हिन्दुस्तान के नुमायंदे, श्री कृष्ण मेनन से, जिन्होंने अकवामे-मुतहिदा में इस केस की वकालत की है, और जो यहां तशरीफ-फर्मा हैं साफ़ लफ्जों में यह पूछना चाहता हूं कि इस बारे में हुकूमते हिन्दुस्तान की पालिसी क्या है । मांगला डैम बनेगा, तो क्या हमारी इजाजत से बनेगा, या इस तरह कि जिस तरह हम बहुत सी चीजों पर आंखें बन्द रखते हैं, फिर प्रोटेस्ट करते हैं, वावेला करते हैं । चितराल और गिलगित के बारे में मैं हुकूमत की सही पालिसी जानना चाहता हूं । इस के अलावा मैं हुकूमत से पूरी जमानत इस बात की चाहता हूं कि काश्मीर का कोई हिस्सा तक्सीम नहीं होगा, काश्मीर हिन्दुस्तान का है, काश्मीर हिन्दुस्तान में रहेगा । मैं आप की तवज्जह मि० किंगज़ले मार्टिन के चन्द अल्फ़ाज़ की तरफ़ दिलाना चाहता हूं, जो कि उन्होंने **न्यू स्टेट्समैन** में १६ अप्रैल को लिखे हैं । उन की मुलाकात फ़ील्ड मार्शल अय्यूबखां से हुई रावलपिंडी में । उस मुलाकात के बाद उन्होंने उस से जो इम्प्रैशन लिया है, वह उन्होंने इस तरह जाहिर किया है —

> "He seemed ready to discuss any proposal provided it gave Pakistan control of the Chenab waters in Kashmir and did not leave the Moslem inhabitants of the valley solely under Indian rule."

मैं अर्ज़ करना चाहता हूं कि मजहब के नाम पर जो हमारी तक्सीम की जाती है, मैं उस के खिलाफ हूं । जनाबे वाला, मैं मुसलमान हूं । मुझे इस पर फ़ख्र है । यह कोई गुनाह की बात नहीं है । मैं हिन्दुस्तानी मुसलमान हूं । मुझे इस बात पर घमंड है । हिन्दुस्तान में रह कर मेरा मजहब पाकिस्तान से ज्यादा महफूज़ है । मुझे इस बात पर नाज़ है । मैं मुसलमान हूं और खान अब्दुल गफ़्फ़ार खां भी मुसलमान हैं । अंग्रेज़ के ज़माने में जितना तआद्दुद अब्दुल गफ़्फ़ार खां पर न हुआ, उस से दुगना पाकिस्तान में हुआ । सिर्फ़ मुसलमान होना ही मेरे लिए ज़रूरी नहीं है । मैं हिन्दुस्तान में इस लिए रहता हूं कि मुझे हिन्दुस्तान की तरक्की से मुहब्बत है । मुझे हिन्दुस्तान की दौलत और हिन्दुस्तान की ऊंची इमारतों से मुहब्बत नहीं है । बल्कि बहैसियत एक मुसलमान के मैं इस बात का एलान करना चाहता हूं कि मैं हिन्दुस्तान में इस लिए हूं कि मुझे हिन्दुस्तान में नानक की वाहदत, गोतम का महब्बत और चिश्ती की हकीकत मिलती है । मैं ने अपने आप को हिन्दुस्तान के हवाले इस लिए नहीं किया है कि यहां पर ज़री-जवाहिरात हैं, बल्कि इस लिए कि हिन्दुस्तान की बुनियादी सैकुलरिज्म पर है, हिन्दुस्तान तरक्की की तरफ जाता है । सिर्फ मजहब की ना पर रिश्ते नहीं जोड़े जाते हैं ।

रिश्ते जोड़े जाते हैं तरक्की की तरफ, इल्म की तरफ और इक्तसादी खुशहाली की तरफ। मैं पाकिस्तान के मौजदा हालात से वाकिफ हूं। मुझे मालूम है कि पाकिस्तान में हर सुबह व शाम जो हुकूमत बदलती है, उसे पाकिस्तान के लोगों ने नहीं बदला, बल्कि समुन्दर पार की कुछ हुकूमतों के इशारे पर वे बदलती रही हैं और हिन्दुस्तान की हुकूमत जो आज भी कायम है और बहुत अर्से तक रहेगी, सिर्फ़ इस लिए है कि यह हिन्दुस्तान के लोगों के हाथ में है।

इन तमाम शिकायात के बाद म यह समझता हूं कि अकवामे-मुत्तहिदा में इस मसले को हल किया जा सकता है बशर्ते कि अकवामे-मुत्तहिदा के लोग, अकवामे-मुत्तहिदा के नुमायंदे इन बातों का फ़ैसला करे और वे हमारे मसले को इस तरह समझने की कोशिश करें कि हम इन्साफ़ चाहते हैं। अकवामे-मुत्तहिदा में हमारे नुमायंदों का मज़ाक उड़ाया जाता है। यह ठीक है कि कुछ ज़ातों से इख्तिलाफ़ है, लेकिन यह एक हकीकत है कि जिस तरह से मि० कृष्ण मेनन ने काश्मीर के मसले को पहली बार अकवामे-मुत्तहिदा में रखा, उस से अकवामे-मुत्तहिदा के लोगों को यह मानना पड़ा कि काश्मीर के मसले की वह शक्ल नहीं है, जिस को वह समझते थे और काश्मीर के मसले की नौएयत दूसरी है, काश्मीर का मसला इन्साफ़ का मसला है। काश्मीर के मसले पर उन को फिर से सोचना पड़ा। इस के बावजूद हमारे नुमायंदे के खिलाफ़ जिस जिस तरह से. जिन जिन तरीकों से प्रोछेगन से प्रापेगंडा किया गया, उस के बारे में जो बड़े बड़े मज़ामीन निकाले गए, जो बहुत ऊंचे ऊंचे आर्टिकल छापे गए—जिन में से एक का उनवान तो यह है कि "वर्ल्डज़ मोस्ट हेटिड डिप्लोमैट—मि० कृष्णा मेनन"—उन से सब वाकिफ़ हैं। उन का फ़ाल्ट सिर्फ़ इतना ही था कि उन्होंने काश्मीर के मसले की असली और सही तस्वीर एक हिन्दुस्तानी की हैसियत से अकवामे-मुत्तहिदा के सामने रखी। इस से ज़ाहिर होता है कि उन मुल्कों का इंसाफ़ का नज़रिया क्या है, जिन से कि हम इन्साफ़ चाहते हैं। तो ऐसे मुल्कों से हमें इन्साफ़ की तवक्को नहीं है। मैं हिन्दुस्तान की हुकूमत से और उस नुमायंदे से, जो कि हुकूमत की तरफ़ से बोलना चाहते हैं, इस बात का फिर एक बार आदा करूंगाकि अगर अकवामे-मुत्तहिदा से हम को इन्साफ की तवक्को नहीं है, तो फिर हमारे पास इस के अलावा कोई और रास्ता नहीं है कि हम इस कम्पलेंट को अकवामे-मुत्तहिदा से वापस लायें।

इन चन्द अल्फ़ाज़ के साथ मैं इस रेज़ोल्यूशन की हिमायत करता हूं।

Shri A. M. Tariq (Jammu and Kashmir): Mr. Deputy-Speaker, I beg to move:

"This House is of opinion that on account of the failure of the United Nations Organisation to call upon Pakistan to vacate aggression in Kashmir, the Government should withdraw its complaint from the United Nations Organisation as a measure of.....

[شری ع - م - طارق - جناب ڈپٹی اسپیکر - یہ جو ریزولوشن میں نے ابھی اس ایوان میں پڑھا ہے میں اس کی اہمیت سے بخوبی واقف ہوں اور اس ریزولوشن کی اہمیت اس سے بھی بڑھتی ہے کہ یہ خود ایک کشمیر کے رہنے والے کاشمیری نے پیش کیا ہے

ایک ممبر سدسٹ - آپ انگریزی میں بولئے -

دلوں میں اقوام متحدہ کے لئے اعتماد قائم کیا جائے اور پیدا کیا جائے -

جہاں تک اس ویزولوشن کا تعلق ہے جناب والا - آپ اور دنیا کے لوگ اس سے واقف ہیں کہ آزادی سے پہلے کشمیر ہندوستان کا حصہ تھا - صرف آزادی سے پہلے ہی نہیں تواریخ گواہ ہے کہ صدیوں سے ہندوستان اور کشمیر ایک ہی نقشہ پر رہے ہیں - ایک ہی زمین کے ٹکڑے رہے ہیں اور کشمیر اور ہندوستان کبھی الگ نہیں ہو سکتے -

جناب والا - کشمیر میں ایک تحریک چلی تھی نیشنلزم کی اور وہ تحریک وہاں کے لوگوں میں یہ چیز پیدا کرنے کے واسطے چلی تھی کہ کشمیر کشمیریوں کا ہے بالکل اس طریقے سے جس طرانے سے کہ گجرات گجراتیوں کا ہے لیکن اس کے باوجود چاہے وہ گجراتی ہو یا کشمیری بنیادی طور پر ہم سب ہندوستانی ہیں - ہم نے نیشنلزم کا نعرہ لگایا - ہم نے نیشنل کانفریانس کے جھنڈہ کے نیچے آزادی کی جنگ لڑی - یہ ایک حقیقت ہے کہ کشمیر کی آبادی کی اکثریت مسلمانوں کی ہے اور کشمیر کی اس وقت جو حکومت تھی وہ ایک غیر مسلم کے ہاتھ میں تھی لیکن تواریخ اس بات کی گواہ ہے کہ ہندوستان کی سب سے بڑی

شری ع - م - طارق - میں چاہونگا کہ برائے مہربانی ہاؤس میں خاموشی رہے تاکہ میں آپ کے سامنے اپنی بات ٹھیک سے رکھ سکوں -

جہاں تک اقوام متحدہ کا تعلق ہے میں ان لوگوں میں سے ہوں جس نے کہ ہمیشہ اس بات کی حمایت کی ہے اور یہ کہ مستقبل میں بھی آئندہ آنے والے زمانے میں بھی اقوام متحدہ کی میں بحیثیت ایک ہندوستانی کے ہمیشہ حمایت کرتا رہونگا - میں یہ سمجھتا ہوں کہ اقوام متحدہ ایک ایسی جماعت ہے جس کے کہ ذمہ یہ فرض ہے کہ وہ دنیا کے ملکوں کے پیچیدہ مسائل کو حل کرنے میں مدد دے لیکن مسٹر ڈپٹی اسپیکر مجھے انتہائی افسوس کے ساتھ یہ کہنا پڑتا ہے کہ جہاں تک اقوام متحدہ کے اس کام کا تعلق ہے اس میں کوئی شک نہیں ہے کہ کئی باتوں میں اقوام متحدہ نے ان چیزوں کو سلجھانے میں کافی کام کیا - صرف کام کر سلجھانا ہی ضروری نہیں ہے ضرورت اس بات کی ہے کہ ہندوستان ہی نہیں بلکہ دنیا کے لوگوں کو اقوام متحدہ میں اور اقوام متحدہ میں جو بڑی بڑی طاقتوں کے نمائندہ ہیں ان پر ہم کر اعتماد ہونا چاہیئے - سب سے بڑا کام جو اقوام متحدہ کا ہے وہ یہ کہ لوگوں کے

کی قسمت کا فیصلہ کیا جا رہا تھا
اور دوسری طرف ہندوستان کے جو
اس وقت وائسرائے تھے لارڈ ماؤنٹ
بیٹن - ان کے اشارے سے کشمیر میں
پنڈت جواہر لال نہرو کو گرفتار کیا
جاتا ہے - صرف اس لئے کہ اس
وقت کانگریس کے پریسیڈنٹ پنڈت
جواہر لال نہرو وطن کے لوگوں کی
حمایت کرنے جاتے ہیں - یہ وہ
تحریک تھی جس کی تمام لوگوں
نے - سکھوں نے-ہندوؤں نے - مسلمانوں
نے حمایت کی - لیکن دوسری طرف
مسلم لیگ اور مسٹر جناح تھے -
مسٹر جناح کے یہ الفاظ آج بھی
کشمیریوں کے سینوں میں و دل و دماغ
میں درد پیدا کرتے ہیں کہ یہ
تحریک غنڈوں کی تحریک ہے -
میں یہ کہنا چاہتا ہوں کہ ہندوستان
کا اور کشمیر کا ایک تعلق رہا ہے -
سیاسی بھی اور سماجی بھی - اس
کے بعد جب ہندوستان تقسیم ہوتا
ہے تو باوجود اس کے کہ ہم نے
پروٹیسٹ کیا کہ ریاست کشمیر کا
فیصلہ ریاست کے لوگ کرینگے -
چند راجے مہاراجے نہیں کریں گے -
مجھے انتہائی افسوس ہے کہ چند
لوگوں نے جو اس وقت ہم میں
ہیں - ہماری بات نہیں مانی -
کیونکہ وہ اس وقت ہمارے مخالف
تھے - اس وقت کی سرکار نے
بھی یہ بات نہیں مانی -
لیکن فیصلہ ہوا - اور ہندوستان وو

جماعت کانگریس نے آل انڈیا اسیمبلس
پیپلس کانفرنس نے جس کے کہ نیتا
آج یہاں موجود ہیں" ہمیشہ کشمیر
کے لوگوں کا ساتھ دیا ہے یہ دیکھے
بغیر کہ کشمیر کی اکثریت کن کی
کی ہے اور کشمیر کا راجہ کون ہے -
کشمیر کا مسئلہ مذہبوں کا مسئلہ
نہیں ہے - یہ مسئلہ ہے سیاسی
اقتصادی اور اسی طریقے سے ہم کو
اسے طے کرنا ہوگا - آزادی سے پہلے
مسلم لیگ کے نیتا مسٹر جناح
کشمیر آئے - انہوں نے بہت کوشش
کی اس بات کی کہ کشمیر کے
مسلمانوں کو اس جال میں لایا جائے
فرقہ پرستی کے جال میں لایا جائے
اور حالانکہ کشمیر ایک سرحدی جگہ
تھی تواریخ اس بات کی گواہ ہے کہ
جہاں مسٹر جناح کو فوج - پولیس
اور مجسٹریٹ کی حمایت میں
نکلنا پڑا اور وہ اس لئے کہ کشمیر
کے لوگ مذہب کے نام پر کسی چیز
کا فیصلہ کرنا نہیں چاہتے تھے - اس
کے بعد جناب والا تواریخ اس بات
کی بھی گواہ ہے کہ کشمیر کے لوگوں
نے ایک تحریک چلائی (کشمیر چھوڑ
دو) اور وہ تحریک شخصی راج کے
خلاف تھی اور اس تحریک میں
ہندوستان کی جماعتوں نے ہمارا ساتھ
دیا - خود ہندوستان کے سب سے
بڑے آدمی مہاتما گاندھی وہاں گئے
کشمیریوں کا ساتھ دینے - یہ وہ وقت
تھا جب ایک طرف تو ہندوستان

روکتے تو یقیناً آج ہماری ہد کوھلا
نہیں بلکے راولپنڈی ہوتی - لیکن یہ
صرف اس لئے کہ ہم دنیا میں امن
چاہتے ہیں - ہم دنیا میں امن قائم
کرنا چاہتے ہیں - ہم دنیا کی کوئی
زمین تلوار کے بل بوتے پر نہیں لینا
چاہتے - ہم نے اقوام متعدہ کی اس
بات کو مانا اور سیز فائر لائن پر
اقرار کیا - اس کے باوجود ہم نے ایک
شکایت پیش کی اقوام متعدہ میں -
وہ شکایت بالکل مختصر تھی - بالکل
سادے الفاظ میں تھی - اور وہ تھی
کہ حضور - اقوام متحدہ کے نمایندو -
ہم کشمیر پر جو ہندوستان کے باشندے
ہیں - ایک ہمسایہ ملک کی طرف
سے حملہ ہوا ہے - اس حملہ آور
کو نکالئے اور کشمیر کے اس حصہ کو
جو کہ غیر ملکی قبضہ میں ہے -
کشمیر کی حکومت کے حوالے کیجئے
ہماری اس شکایت کو اس وقت
مرحوم شری گوپالا سوامی آئنگر نے
پیش کیا تھا - جس وقت ۵ فروری
کو انہوں نے یہ شکایت کی اس وقت
انہوں نے صرف یہ گزارش کی کہ
مجھے اس مسئلے پر جو برطانوی
نمائندے نوبل بیکر نے پیش کیا ہے-
بولنے کی اجازت دی جائے - جناب
والا - شروع سے ہی اقوام متحدہ میں
برطانوی نمائندے اور امریکی نمائندے
نے کشمیر کے مسئلے کی مخالفت
کی - اقوام متحدہ میں ان دونوں

[شری ع-م- طارق]
پاکستان بن گیا ہندستان کے لوگوں
کے مشورہ کے خلاف -

اس کے بعد جب کہ کشمیر کے
نیتا جیلوں میں ہی تھے - کشمیر
پر حملہ ہوتا ہے - پاکستان کی
طرف سے - قبائلی حملہ کرتے ہیں - اور
جب لوگوں کا قتل عام ہوتا ہے تو
اس بات کا کوئی لحاظ نہیں کیا
جاتا کہ مقتول ہندو ہے یا مسلمان -
کشمیر کے امن کو تہ تیغ کیا جاتا
ہے - جناب والا - میرے پاس ثبوت
ہیں ان چیزوں کے - انویژن آف
کشمیر - اور دی ہرننگ آف بارا ولا
ان چیزوں کی اطلاع دینا کے لوگوں
کو ہے کہ وہاں اس وقت صرف
مندروں کو ہی نہیں ڈھایا گیا -
بلکہ گرجوں کو بھی مسمار کیا گیا -
اور گرجوں میں پادریوں پر گولیاں
چلائی گئیں - مسلمان عورتوں کے کان
کاٹے گئے کیونکہ ان میں زیورات تھے -
یہ تاریخی حقیقت ہے - ہمیں
شکایت ہے کہ ہم پر بغیر کسی
شراوت کے - بغیر کسی اشتعال کے
اور بغیر کسی وجہ کے یہ حملہ کیا
گیا - اور حملے کا مقابلہ ہماری
فوج نے جس بہادری سے کیا وہ ایک
حقیقت ہے - اگر اس وقت ہندوستان
کے سب سے بڑے آدمی مہاتما گاندھی-
اور ہمارے وزیر اعظم مسٹر جواہر لال
نہرو - ہندوستانی فوج کے ہاتھ نہ

آپ اس کو اگلے سیشن میں لے جانا چاہتے ہیں تو آپ کی مرضی -

شری ع - م - طارق - میں یہ نہیں چاہتا - میں اب تک کتنا وقت لے چکا ہوں -

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اپادھیکش مہودے - آپ قریب آٹھ منٹ لے چکے ہیں -

شری ع - م طارق - میں ۱۵ منٹ میں ختم کر دونگا -

اپادھیکش مہودے - ۱۵ نہیں دس منٹ میں ختم کیجئے - اچھا بولئے - ۱۵ منٹ ہی لے لیجئے -

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شری ع - م - طارق - میں بھول گیا کہ میں کہاں بول رہا تھا - اس وقت شری گوپالا سوامی آئنگر نے جب اجازت چاہی تھی تو اس بات کا تمسخر اڑایا گیا - جس سے صاف ظاہر ہے کہ اس وقت اقوام متحدہ کی بڑی بڑی طاقتیں صرف پاور پالٹکس کی وجہ سے کشمیر کے مسئلے کی مخالفت کرتی تھیں - وہ کشمیر کے حملہ کی بنیاد کی طرف نہیں جانا چاہتے تھے - بلکہ ان کے سامنے یہ تصویر تھی کہ حملہ کس نے کیا ہے اور کس پر کیا ہے - اس وقت جب میں اقوام متحدہ میں ایک مدعی کی حیثیت سے گیا تھا انصاف کے لئے - تو مجھے امید تھی کہ اقوام متحدہ میں طاقتوں کا مقصد صرف ہندوستان کی آزادی سے انتقام لینا تھا - بہرحال میں آگے چل کر ان تمام معاملات کو آپ کے سامنے رکھوں گا - لیکن میں بنیادی طور پر اس نیت کا - جو قوام متحدہ کی بڑی بڑی طاقتوں نے ہندوستان کے مسئلے کی طرف رکھی ہے - پردہ فاش کرنا چاہتا ہوں -

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اپادھیکش مہودے - ایک منٹ کے لئے میمبر صاحب مجھے معاف کریں گے - مجھے یہ سن کر خطرہ پیدا ہو رہا ہے کہ وہ آگے چل کر کچھ اور چیزیں پیش کریں گے - تو میں ان کی توجہ دلانا چاہتا ہوں کہ اس میں وقت صرف تیرہ گھنٹہ ہی ہے - اس میں سے میں میمبر صاحب کو زیادہ سے زیادہ بیس منٹ دے سکوں گا -

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شری انصار ہروانی (فتح پور) - اس کا وقت اگر دو گھنٹہ کر دیا جائے تو بہت مناسب ہوگا -

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اپادھیکش مہودے - دو گھنٹے بھی ہو جائیں تو آپ دیکھیں کہ میرے پاس بارہ نام تو آ چکے ہیں - اور ان کے علاوہ بارہ اور کھڑے ہونگے - اگر آپ چاہتے ہیں کہ اس ریزولیوشن پہ آج ہی بحث ختم ہو جائے - تب تو یہ پانچ بجے سے آگے نہیں جا سکتا - دو گھنٹے بھی پانچ بجے تک ختم ہو جائیں گے - لیکن اگر

They swear, priests and cowards.

لیکن مجھے معلوم نہیں تھا کہ جناح صاحب پریسٹ بھی ھیں اور کاورڈ بھی - اس کے باوجود بھی جب پہلی بار یونائٹیڈ نیشنس کا کمیشن ھندوستان میں آیا - تو اس بات کا اعتراف کیا جاتا ھے کہ ھم حملے میں شامل ھیں - ھماری فوجیں کشمیر میں ھیں - اس وقت مسٹر جناح نے ھمارے وزیر اعظم کو ایک خط لکھا تھا اور اس میں گذارش کی ھے کہ وہ لاھور آجائیں - تو ھم اس حملے کو روکیں - حملے سے شروع میں انہوں نے انکار کیا تھا -

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اپادھیکش مہودے - میں آپ کو یہ رائے دونگا کہ ھمارے ان سے چاھے جو بھی اختلاف ھوں - مگر ایک ایسے آدمی کے خلاف جوکہ مر چکا ھے ایسے الفاظ استعمال نہیں کرنے چاھیں - یہ مناسب نہیں معلوم ھوتا- اس وقت جو اس کے میرٹ ھیں ان پر آپ بولیں - لیکن کسی ملک کے نمایندے کے لئے ایسے الفاظ کا استعمال نہ کریں -

Shri Mahanty: We cannot follow a single word of what the hon. Member says. Let him speak in English, Sir, or in Hindi.

Mr. Deputy-Speaker: I cannot compel him to speak in English, that is for him to choose.

میرے ساتھ انصاف ھوگا - لیکن میرے ساتھ انصاف نہیں ھوا - جناب والا - آج سے بہت برس پہلے میں نے ایک مثال سنی تھی کہ - چچا چور بھتیجے قاضی - لیکن اقوام متحدہ میں جاکر مجھکو معلوم ھوا کہ - بھتیجے قاضی اور چچا چور - جناب والا - اس وقت میرے سامنے اقوام متحدہ کی جو شکل ھے وہ یہ ھے کہ جس کو تھائی صاحب بخوبی سمجھیں گے -

وھی قاتل - وھی شاھد - وھی منصف ٹھہرے -

اقربا میرے کریں قتل کا دعوی کس پر -

آج جو میرے سامنے اقوام متحدہ کی شکل ھے اس میں مجھکو یہ نہیں دکھنا کہ میرے اوپر حملہ پاکستان نے کیا ھے یا امریکہ کے ھتھیار نے - اس سازش کے پیچھے صرف پاکستان ھی نہیں ھے - بلکہ اس کے پیچھے انگلینڈ اور امریکہ کا دماغ بھی ھے -

جناب والا - جب ھماری شکایت اقوام متحدہ میں جاتی ھے تو اس کی پہلی بیٹھک میں پاکستان کے نمایندے سر ظفر اللہ اس سے بھی انکار کرتے ھیں کہ ھم نے حملہ کیا - انہوں نے قسمیں کھائیں کہ ھمارا اس حملے سے کوئی تعلق نہیں ھے - جناب والا - قسموں کے بارے میں آج سے بہت سال پہلے شکسپیئر کہہ گیا ھے -

سرحدوں پر حملے ہوئے - اقوام متحدہ نے سرائے اس کے کہ ہمارے پروٹیسٹ کاغذی شکل میں لے کر ان کو اقوام متحدہ تک پہنچایا اور کچھ نہیں کیا - ہماری ریاست میں ۲ : کیس ہوئے بم پھینکنے کے جن میں پاکستان کے اس وقت کے وزیر اعظم بھی شامل تھے - ان کے متعلق بھی اقوام متحدہ نے کچھ نہیں کیا - ہم جانتے ہیں کہ ان تمام چیزوں میں اقوام متحدہ کا ہاتھ ہے - اقوام متحدہ میں ان طاقتوں کا ہاتھ ہے جو اقوام متحدہ کو بدنام کرنے کے باعث ہیں اور آج ذمہدار ہیں اس بات کی کہ ہم ہندوستان کے لوگوں کا - مجھ کشمیری کا - اقوام متحدہ پر کوئی اعتماد نہیں رہا ہے - جناب والا یہی نہیں - اقوام متحدہ کے ممبر ملکوں کی آنکھوں کے سامنے - ان کی امداد سے اور ان کے پیسے سے چترال اور گلگت میں جو ہو رہا ہے اس کی طرف بھی آپ توجہ دیں - گلگت میں جو ہوائی اڈے بنائے جا رہے ہیں - وہاں جو بڑی بڑی سڑکیں بنائی جا رہی ہیں - وہ کون بنا رہا ہے - اقوام متحدہ کے ممبر بنا رہے ہیں - چترال میں جو سڑکیں بن رہی ہیں - وہاں جو ہوائی اڈے بن رہے ہیں وہ کون بنا رہا ہے - اقوام متحدہ کے ممبر بنا رہے ہیں - مانگلا ڈیم کے لئے لاکھوں پونڈ کس نے منظور کئے ہیں - اقوام متحدہ کے

شری ع - م - طارق - میں اس بات کا اعتراف کرتا ہوں کہ کسی مردے کی برائی نہیں کرنی چاہئے لیکن تاریخ تو تاریخ ہے - اس کو شرافت سے نہیں دھویا جا سکتا - باوجود اس کے مجھے آپ کی بات کا اعتراف ہے -

لیکن پچھلے چند سالوں میں جو ہم نے اقوام متحدہ کا حال دیکھا ہے - اس کو دیکھنے کے بعد ہم کو یقین نہیں کہ ہم کو انصاف ملے گا - ہم کو اعتماد دلایا گیا اقوام متحدہ کی طرف سے کہ کشمیر کی موجودہ سرحدوں پر کوئی گڑبڑ نہیں ہوگی - لیکن میں آپ کے ذریعہ اور اس ایوان کے ممبران کے ذریعہ ہندوستان کے لوگوں کی توجہ اس طرف دلانا چاہتا ہوں کہ جو مانگلا ڈیم بنایا جا رہا ہے - وہ ہندوستان کی آزادی پر ایک حملہ ہے - مانگلا ڈیم کے بارے میں ہم لوگوں نے - ہندوستان کے لوگوں نے - اور پاکستان میں جو کشمیری ہیں انہوں نے احتجاج کیا - اس احتجاج کا جواب پاکستان نے ان لوگوں کے سینوں کو گولیوں سے چھلنی کرکے دیا - لیکن اقوام متحدہ نے کیا کیا آج ہماری سرحدوں پر - ہندوستان اور پاکستان دونوں طرف - اقوام متحدہ کے آلہ ورز ہیں - لیکن پچھلے دو سال میں سنہ ۱۹۵۸ اور ۱۹۵۹ میں تقریباً تیرہ سو مرتبہ ہماری

[شری ع - م - طارق]

لیا ہے وہ انہوں نے س طرح ظاہر کیا ہے -

"He seemed ready to discuss any proposal provided it gave Pakistan control of the Chenab waters in Kashmir and did not leave the Moslem inhabitants of the valley solely under Indian rule."

میں عرض کرنا چاہتا ہوں کہ مذہب کے نام پر جو ہماری تقسیم کی جاتی ہے میں اس کے خلاف ہوں - جناب والا - میں مسلمان ہوں - مجھے اس پر فخر ہے - یہ کوئی گناہ کی بات نہیں ہے - میں ہندوستانی مسلمان ہوں - مجھے اس بات پر گھمنڈ ہے - ہندوستان میں رہ کر میرا مذہب پاکستان سے زیادہ محفوظ ہے - مجھے اس بات پر ناز ہے - میں مسلمان ہوں اور خان عبدالغفار خاں بھی مسلمان ہیں - انگریز کے زمانے میں جتنا تشدد عبدالغفار خاں پر نہ ہوا اس سے دوگنا پاکستان میں ہوا - صرف مسلمان ہونا ہی میرے لئے ضروری نہیں ہے - میں ہندوستان میں اس لئے رہتا ہوں کہ مجھے ہندوستان کی ترقی سے محبت ہے - مجھے ہندوستان کی دولت اور ہندوستان کی اونچی عمارتوں سے محبت نہیں ہے - بلکہ بحیثیت ایک مسلمان کے میں اس بات کا اعلان کرنا چاہتا ہوں کہ میں ہندوستان

ایک ذی عزت ممبر حکومت برطانیہ ہے - اس کے باوجود ہم کو یہ یقین دلایا جاتا ہے کہ اقوام متحدہ ہمارا فیصلہ کرے گا اور ہمارے ساتھ انصاف کرے گا - میں حکومت ہندوستان سے اور حکومت ہندوستان کے نمائندہ شری کرشنا مینن سے جنہوں نے اقوام متحدہ میں اس کیس کی وکالت کی ہے اور جو یہاں تشریف فرما ہیں صاف لفظوں میں یہ پوچھنا چاہتا ہوں کہ اس بارے میں حکومت ہندوستان کی پالیسی کیا ہے - منکلا تیم بلیگا تو کیا ہماری اجازت سے بلیگا یا اس طرح کہ جس طرح ہم بہت سی چیزوں پر آنکھیں بند رکھتے ہیں - پھر پروتھست کرتے ہیں- واویلا کرتے ہیں- چترال اور گلگت کے بارے میں میں حکومت کی صحیح پالیسی جاننا چاہتا ہوں - اس کے علاوہ میں حکومت سے پوری ضمانت اس بات کی چاہتا ہوں کہ کشمیر کا کوئی حصہ تقسیم نہیں ہو گا - کشمیر ہندوستان کا ہے - کشمیر ہندوستان کا رہیگا - میں آپ کی توجہ مسٹر کلگزلے مارٹن کے چند الفاظ کی طرف دلانا چاہتا ہوں جو کہ انہوں نے نیو سٹیٹسمین میں ۱۶ اپریل کو لکھے ہیں - ان کی ملاقات فیلڈ مارشل ایوب خان سے ہوئی راولپنڈی میں - اس ملاقات کے بعد انہوں نے اس سے جو امپریشن

جاتا ہے - یہ ٹھیک ہے کہ کچھ ذاتوں سے اختلاف ہے لیکن یہ ایک حقیقت ہے کہ جس طرح سے مسٹر کرشنا مینن نے کشمیر کے مسئلے کو پہلی بار اقوام متحدہ میں رکھا اس سے اقوام متحدہ کے لوگوں کو یہ ماننا پڑا کہ کشمیر کے مسئلے کی وہ شکل نہیں ہے جس کو وہ سمجھتے تھے اور کشمیر کے مسئلے کی نوعیت دوسری ہے - کشمیر کا مسئلہ انصاف کا مسئلہ ہے - کشمیر کے مسئلے پر ان کو پھر سے سوچنا پڑا - اس کے باوجود ہمارے نمائندے کے خلاف جس جس طرح سے - جن جن طریقوں سے - اوچھے پن سے پراپیگنڈہ کیا کیا اس کے بارے میں جو بڑے بڑے مضامین نکالے گئے - جو بہت اوچھے اوچھے ارٹیکل چھاپے گئے - جن میں سے ایک کا عنوان تو یہ کہ ورلڈز موسٹ ہیٹڈ ڈپلومیٹ - مسٹر کرشنا مینن ان سب باتوں سے واقف ہیں - ان کا قصور صرف اتنا ہی تھا کہ انہوں نے کشمیر کے مسئلے کی اصلی اور صحیح تصویر ایک ہندوستانی کی حیثیت سے اقوام متحدہ کے سامنے رکھی - اس سے ظاہر ہوتا ہے کہ ان ملکوں کا انصاف کا نظریہ کیا ہے جن سے کہ ہم انصاف چاہتے ہیں - تو ایسے ملکوں سے ہمیں انصاف کی توقع نہیں ہے - میں ہندوستان کی حکومت سے اور اس نمائندے سے جو کہ حکومت کی طرف سے بولنا چاہتے ہیں اس بات کا پھر

میں اس لئے ہوں کہ مجھے ہندوستان میں نانک کی وحدت - گوتم کی معجمت اور چشتی کی حقیقت ملتی ہے - میں نے اپنے آپ کو ہندوستان کے حوالہ اس لئے نہیں کیا ہے کہ یہاں پر زر و جواہرات ہیں بلکہ اس لئے کہ ہندوستان کی بنیاد سیکولرزم پر ہے - ہندوستان ترقی کی طرف جاتا ہے - صرف مذہب کی بنا پر رشتے نہیں جوڑے جاتے ہیں - رشتے جوڑے جاتے ہیں ترقی کی طرف علم کی طرف اور اقتصادی خوشحالی کی طرف میں پاکستان کے موجودہ حالات سے واقف ہوں - مجھے معلوم ہے کہ پاکستان میں ہر صبح و شام جو حکومت بدلتی ہے اسے پاکستان کے لوگوں نے نہیں بدلا بلکہ سندو پار کی کچھ حکومتوں کے اشارے پر وہ بدلتی رہی ہیں اور ہندوستان کی حکومت جو آج بھی قائم ہے اور بہت عرصے رہیگی صرف اس لئے ہے کہ یہ ہندوستان کے لوگوں کے ہاتھ میں ہے -

ان تمام شکایات کے بعد میں یہ سمجھتا ہوں کہ اقوام متحدہ میں اس مسئلہ کو حل کیا جا سکتا ہے بشرطیکہ اقوام متحدہ کے لوگ - اقوام متحدہ کے نمائندے ان باتوں کا فیصلہ کریں اور وہ ہمارے اس مسئلے کو اس طرح سمجھنے کی کوشش کریں کہ ہم انصاف چاہتے ہیں - اقوام متحدہ میں ہمارے نمائندوں کا مذاق اڑایا

[شری ع - م - طارق]

ایک بار اعادہ کرونگا کہ اگر اقوام متحدہ سے ہم کو انصاف کی توقع نہیں ہے تو پھر ہمارے پاس اس کے علاوہ کوئی اور رستہ نہیں ہے کہ ہم اس کمپلینٹ کو اقوام متحدہ سے واپس لیں -

ان چند الفاظ کے ساتھ میں اس ریزولوشن کی حمایت کرتا ہوں -]

Mr. Deputy-Speaker: Motion moved:

> "This House is of opinion that on account of the failure of the United Nations Organisation to call upon Pakistan to vacate aggression in Kashmir, the Government should withdraw its complaint from the United Nations Organisation as a measure of protest."

There are certain amendments of which notice has been given. The first one is by Shri Hem Barua, but it is beyond the scope of the resolution. It reads:

> "This House is of opinion that with a view to achieving an amicable solution of the long-standing Kashmir dispute, a Conference, in the context of improved Indo-Pakistan relations at present, of the Prime Minister of India and the President of Pakistan be forthwith convened."

That is quite a different affair. He would agree with me that this has nothing to do with the resolution that we have got.

The second is from Shri Aurobindo Ghosal. It reads thus:

> "This House is of opinion that more active persuasion should be made in the United Nations Organisation to call upon Pakistan to vacate aggression in Kashmir."

This is also quite different. It is just the reverse of what is wanted in the resolution. We may achieve the object of the hon. Member's amendment by a negative resolution or a negative vote. So, that also is not in order . Shri Vajpayee can move his amendments. He seeks only a verbal change.

Shri Vajpayee (Balrampur): I beg to move:

> In the resolution,
>
> For the words "should withdraw its complaint from the United Nations Organisation as a measure of protest" *substitute*
>
> "should have its complaint in the U.N.O. dropped as a measure of protest." (3).

4. I beg to move:

> In the resolution, *add* at the end—
>
> "and independently of the U.N.O. explore avenues to secure vacation of aggression." (4)

Mr. Deputy-Speaker: The resolution and amendment Nos. 3 and 4 of Shri Vajpayee are before the House.

Now, we will have to decide the time-limit.

Shri Jaganatha Rao (Koraput): Five minutes each.

Shri Raghunath Singh: Ten minutes each.

Mr. Deputy-Speaker: Five Minutes ordinarily, and in exceptional cases, another two minutes, may be taken.

Shri Braj Raj Singh: May I know

how many Ministers are going to intervene?

Mr. Deputy-Speaker: Only one Minister.

श्री वाजपयी : उपाध्यक्ष महोदय, मैंने जो संशोधन उपस्थित किए हैं, उन का स्पष्टीकरण कर दूं। मैं समझता हूं कि मि० तारिक ने जो प्रस्ताव रखा है, यदि सरकार चाहे, तो भी उसे स्वीकार नहीं कर सकती, क्योंकि जो प्रश्न संयुक्त राष्ट्र संघ में भेज दिया जाता है, उसे शायद टेक्निकली वापस नहीं लिया जा सकता। सरकार अगर चाहे, तो उस प्रश्न पर आगे बातचीत करने से, चर्चा करने से इन्कार कर सकती है और पहले भी जब यह मांग उठाई गई थी कि संयुक्त राष्ट्र संघ से काश्मीर का प्रश्न वापस ले लिया जाये, तो हमारे प्रधान मंत्री जी ने यही टेक्निकल आपत्ति रखी थी कि जो प्रश्न वहां भेज दिया जाता है, वापस नहीं लिया जा सकता है। इसी कठिनाई को ध्यान में रख कर मैंने यह संशोधन रखा है कि हम इस प्रश्न को वापस न लें—यदि लेना सम्भव नहीं है, तो —किन्तु अब इस बात का प्रयत्न करें कि संयुक्त राष्ट्र संघ जम्मू-काश्मीर के प्रश्न पर विचार न करे और यह मांग करने का एक कारण भी है। इस बात से इन्कार नहीं किया जा सकता कि काश्मीर के प्रश्न पर संयुक्त राष्ट्र संघ भारत के साथ न्याय करने में सफल नहीं हुआ है। पाकिस्तान ने जम्मू-काश्मीर पर आक्रमण किया और यह बात किसी से छिपी हुई नहीं है। युनाइटिड नेशन्ज़ के जो प्रतिनिधि काश्मीर में आए थे, उन्होंने भी यह माना कि पाकिस्तान ने काश्मीर पर हमला किया है, लेकिन यह स्वीकार करने के बाद भी, किसी देश द्वारा दूसरे देश की भूमि पर आक्रमण हो, तो संयुक्त राष्ट्र संघ का क्या कर्त्तव्य है, उस कर्त्तव्य का पालन संयुक्त राष्ट्र संघ ने नहीं किया। और जब हम काश्मीर की तुलना कोरिया से करते हैं—उत्तरी कोरिया ने दक्षिणी कोरिया पर हमला किया था—तो पाते है कि संयुक्त राष्ट्र संघ में जब यह मामला गया तो उसके २४ घंटे के अन्दर अन्दर उत्तरी कोरिया को आक्रमणकारी घोषित कर दिया गया और दक्षिणी कोरिया की रक्षा के लिए कदम उठाया गया। लेकिन भारत की शिकायत पर संयुक्त राष्ट्र संघ ने कोई कदम नहीं उठाया। आक्रमण को देख कर भी विश्व शान्ति का उत्तरदायित्व जिस संस्था के ऊपर है, वह निष्क्रय बैठी रही और काश्मीर का सवाल शीत युद्ध का सवाल बन गया। किस ने आक्रमण किया, किसके ऊपर आक्रमण किया, यह बातें पीछे पड़ गई और अमरीकी और रूसी गुट की जो अन्तर्राष्ट्रीय राजनीति है, उस राजनीति के ऊपर काश्मीर एक मुहरा बन गया। मैं समझता हूं कि हमारी सरकार ने गलती की जो काश्मीर के सवाल को संयुक्त राष्ट्र संघ में भेजा: वास्तव में यह सवाल संयुक्त राष्ट्र संघ में भेजने की ही आवश्यकता नहीं थी। हम स्वयं इसको हल कर सकते थे या फिर हल करने का प्रयत्न हमें करना चाहिये था। और वह हल हो भी रहा था। हमारी सेनायें युद्ध के मैदान में पाकिस्तानी सेनाओं को पछाड़ती हुई आगे बढ़ रहीं थीं। जब हम विजय पर विजय प्राप्त कर रहे थे तब हमारी सरकार ने युद्ध विराम समझौता कर लिया मानो विजय प्राप्त करती हुई सेनाओं के कदमों में युद्ध विराम रेखा की जंजीरें डाल दीं। इसका परिणाम यह है कि काश्मीर का एक तिहाई भाग आज भी पाकिस्तान के कब्जे में है। हम युद्ध के मैदान में कभी नहीं हारे हैं, भारत युद्ध में पराजित नहीं हुआ है, मगर संधियों का, समझौतों का इतिहास हमारे लिए उतना सम्मानजनक नहीं है। हमारी सरकार यदि युद्ध विराम समझौता न करती तो हो सकता है हम पूरे काश्मीर को अपने साथ ले आते, लेकिन गलती हो गई।

काश्मीर के बारे में सरकार की जो नीति है भयंकर भूलों की एक लम्बी कहानी है। जम्मू काश्मीर भारत के साथ-पहले मिलना चाहता था। मगर हमारी रस

कार ने उसको नहीं मिलाया। जब पाकिस्तान ने आक्रमण कर दिया और कोई चारा नहीं रहा तब हम ने जम्मू काश्मीर को मिलाया। और जनमतसंग्रह का वादा करने की कोई आवश्यकता नहीं थी। मगर हमारे प्रधान मंत्री जी में लार्ड माउंटबेटन के सुझाव पर प्लेबिसाइट की आफर दे दी। जम्मू काश्मीर की जनता और जम्मू काश्मीर के महाराजा भी भारत में पूरी चाह से मिलने को तैयार थे और उसी तरह मिलने को तैयार थे जिस तरह और रियासतें मिली थीं। मगर हमनें प्लेबिसाईट की आफर दे कर बड़ी गलती की। लेकिन वह प्लेबिसाइट की आफर पाकिस्तान को नहीं थीं, जम्मू काश्मीर की जनता को थी, उसमें पाकिस्तान को बोलने का कोई हक नहीं हैं। जब पाकिस्तान पख्तूनिस्तान को राइट आफ सैल्फडिटरमिनेशन देने के लिए तैयार नहीं है और काश्मीर के लिए राइट आफ सैल्फडिटरमिनेशन मांगे तो यह बात मेरी समझ में नहीं आती है। जम्मू काश्मीर भारत का अभिन्न अंग बन चुका है और मैं नहीं समझता कि इस सबन्ध में कोई भी परिवर्तन होने वाला है। व्यक्ति आयेंगे, चले जायेंगे, सरकारें बनेंगी, बिगड़ जायेंगी, मगर जम्मू काश्मीर भारत का अभिन्न अंग के रूप में भारत माता के सिर पर मुकुट के रूप में सुशोभित रहेगा।

मेरा निवेदन है कि संयुक्त राष्ट्र संघ में हमें न्याय नहीं मिला, इसलिए अब इस मामले को संयुक्त राष्ट्र संघ में उठाने का कोई अर्थ नहीं है। अगर मामला उठाया भी जाता है दूसरों की तरफ से तो हम उस में भाग ले कर कोई भारत के हितों का संवर्द्धन करेंगे, ऐसा मुझे दिखाई नहीं देता। लेकिन संयुक्त राष्ट्र संघ से अलग हो कर अगर अन्य उपायों के द्वारा हम जम्मू काश्मीर पर जो पाकिस्तान का आक्रमण हुआ है उसको हटाने के लिए प्रयत्न कर सकें, तो मैं ऐसे प्रयत्न का स्वागत करूंगा। मगर ऐसा प्रयत्न पाकिस्तान के आक्रमण को हटाने तक सीमित रहना चाहिये और किसी बात पर नहीं।

Mr. Deputy-Speaker: Shri Sadhan Gupta. I would be able to give only one ring and subsequent to that the hon. Member can conclude the sentence that he wants to.

Shri Sadhan Gupta (Calcutta-East): Mr. Deputy-Speaker, Sir, I rise to associate my party and myself with the Resolution that has been moved by Shri Tariq. Of course, there may be technical difficulties in implementing the Resolution as he has moved it, but I am nevertheless associating the Party with the spirit of the Resolution in the hope that the Government will find some way of extricating itself out of the situation in which we have landed through referring the matter to the Security Council.

This beautiful Himalayan State of ours has landed us in a Himalayan blunder as far as the Security Council is concerned and the responsibility for the blunder is that at that time we did not evolve a clear cut policy of non-alignment and independent foreign policy which we have formulated now. It is a bitter fruit of the continuance of our Commonwealth associations and, in fact, of our being a dominion at that time. It is well known that the reference to the Security Council and many things that followed were made because of the inspiration of Lord Mountbatten who was the Governor-General at that time.

The United Nations is a very useful organisation as far as world peace is concerned, but it is useful only in so far as it can be made to move unanimously. It has done useful work, for example, in the Suez crisis. But it was clear from the very beginning that a matter like Kashmir would only lead to wrangles and manouvres with a view not to securing peace for our country and not to securing justice for our country but because certain powers wanted a strategic foothold in strategic areas. Kashmir is a strategic area and certain powers are interested in securing a foothold in that area so that they can make it a springboard for attack on other powers.

Now that was the motive with which the United Nations was inspired by interested powers. It is a well know fact that although the United Nations consits of about 81 or 82 members, there are one or two who can control the majority at their beck and call and this is what has happened in the matter of Kashmir. To our cost it has happened that when we could really have solved the problem ourselves, either by friendly negotiations with Pakistan or by force at that time, because we were winning, as Shri Vajpayee has pointed out, and, as is well known, we were winning all along in the field at that time, at that time if we had been left to ourselves, the problem would no longer have been there. The problem would have been solved, and perhaps free conditions would have been created in which India and Pakistan could now have entered into a new age of friendship. But the United Nations, or rather the powers who were interested in controlling the majority in the United Nations, did not want it, and wanted on the other hand to have a strategic foot-hold in that part of India in order to gain their own ends, in order to foster their own military pacts.

Under these circumstances we should never have gone to the Security Council, because it was quite clear that this would happen. We knew in 1948 the composition of the United Nations, which powers would be likely to be interested intimately in our affairs, and we should have guarded against that. But, Sir, one of these powers, through its representative here, did manage it, and we are paying the price.

The other blunder we committed was to commit ourselves to the principle of plebiscite when the aggression had not been vacated. We should never have agreed to a plebiscite until the aggression is vacated. On the other hand, we repeatedly emphasised our adherence to a plebiscite, with the result that today our position in the face of world public opinion is rather unfortunate.

There is yet time to retrace the steps perhaps. If the complaint cannot be withdrawn, we can at least try to influence certain powers, so that the Security Council drops it. We can at least see that the Security Council does not proceed further with this matter. And if we try we can find powers which will effectively prevent the Security Council from taking any further resolutions regarding Kashmir.

How the Kashmir question will have to be solved, that would be quite different. That may have to be settled in another manner, by negotiations with Pakistan or otherwise. But that should be done bilaterally between the two countries. And in the mean time we should prevent foreigners from intermeddling in the affairs of Kashmir and complicating the matter rather than making the situation easier.

Shri Kalika Singh (Azamgarh): The effective part of the resolution is about the withdrawal of the complaint from the United Nations as a measure of protest. We have first to consider whether such a withdrawal can actually be made once a case is referred to the Security Council. My friend has pointed just now that there is a doubt about the matter and that it cannot be withdrawn. I was aware that even in March, 1948, just three months after the question had been referred to the Security Council, the question about the withdrawal of the case from the Security Council cropped up. And then I had written an article which was published in the *Amrit Bazar Patrika* dated March 9, 1948. I will just quote five or six lines from that which will make it clear that the question had cropped up then, and there could be no question of withdrawal.

It says:

"Pandit Nehru stated in the parliament that there was no

[Shri Kalika Singh]

question of withdrawal of the reference, but, the Anglo-American stand, in case a petition for withdrawal is made, may be known from a close study of the Russo-Persian case before the U.N.O., in 1946. Persian Prime Minister petitioned for withdrawal of the reference on April 17, 1946. Anglo-Aemrican delegations opposed the petition, and their viewpoint was supported by Legal Expert Committee. The case could be shelved only when Persia and Russia jointly withdrew stating that there was no question of aggression after May 9, 1946, but still the matter was allowed to linger on to await fresh complications."

So, even if India and Pakistan both join and petition the Security Council saying that they are now on good terms and they want to withdraw the case and that it should be dropped, even then, because it is a matter of security and world security, the big power interests which are involved in the matter, and who have dragged this question in the Security Council, will not allow the matter to be dropped Therefore, the resolution cannot be implemented because the effective portion of it cannot be passed by the House.

As for the big power interests involved in the matter, I will quote a Reuters report from Lake Success. On the 30th December, 1947, a report appeared in the Indian press that the Kashmir question was going to be referred to the Security Council. On that very date Reuters splashed a report from Lake Success, giving the expert opinion of unnamed United Nations legal counsellors who pointed out that reference could be made under article 34, and described the Kashmir question as a political dispute, and sounded a note of optimism in the following meaningful words:

"Although experience has shown that the Security Council is too often unable to take positive action in political disputes, informed observers here feel more optimistic about the Kashmir case as it would appear on the surface that there are no big power interests invovled and no ideological or political aspects to the dispute."

I do not know who these legal counsellors were, but they were supposed to have given this opinion. The very next day India referred the case to the Security Council. Within three months it was apparent to everybody that the big power interests were really involved in the matter, and that was so because of the strategic military air base of Gilgit. One Ralph Izard gave out his opinion that Gilgit had been British agency for more than 100 years, and it was the most strategic military base which had to be retained even after the grant of independence. That Gilgit is now being developed, and it is a U.S. military strategic base in Pakistan. Therefore, I say, because the big power interests are involved in it, especially the western powers, and the Baghdad Pact, which is now CENTO, is in full control of that base, it will be very difficult even for India and Pakistan jointly to withdraw the case.

Shri Hem Barua (Gauhati): In spite of the solicitude of India and its faith and the faith of other nations of the world in the United Nations Organisation as a world forum for the solution of international problems and establishment of peace, this organisation has signally failed in the case of Kashmir, and the reason for it is not far to seek.

It is the Anglo-American combination that holds the majority power in the Security Council, and that is creating all these difficulties and deadlocks. Apart from the fact that U.K. and U.S.A. sponsored the joint resolution on Mr. Dixon's Report criticising India for allowing Kashmir to convene a Constitutent Assembly, these two countries have been particularly hostile to the interests of India. And Shri Jawaharlal Nehru said like that, because he said that this

was getting involved in power politics.

Now, the thing is this. The recent event of Pakistan entering into a military alliance, for instance, with the U.S.A. in 1954 has complicated issues. And Pakistan's membership of Baghdad Pact and SEADO also has complicated the issues. When this military aid came to Pakistan, the Prime Minister of Pakistan said that this military aid would be helpful in solving the Kashmir problem.

In spite of Mr. Eisenhower who said in 1954 that this aid would not be allowed to be utilised against another country in aggression, the problem came for discussion before the Council meeting of the SEADO that was held in Karachi and also before the Council meeting of the Baghbad Pact Council in Tehran, and Pakistan initiated that issue there. This shows that there is a vested interest in the Security Council under the auspices of U.K. and U.S.A. And when the Security Council fails to find a solution or is indifferent to the Kashmir issue, the whole problem is clear before our eyes.

Now, there is the world press organised in favour of Pakistan, and this world press is having a ceaseless campaign against India for not agreeing to holding a plebiscite. When I think of the plebiscite, I recall that three plebiscites were already held there. One was in 1938-39 when there was a conflict between the National Conference and the Muslim Conference for winning popularity amongst the Muslim masses of the State, and ultimately it was the National Conference that came out victorious. Another was in 1943 when Mr. Jinnah went to Kashmir and he thought that he would ride in triumph to Srinagar, but he had to come back in disgrace and disgust, and he wanted to visit Kashmir and win it on the basis of the two-nation theory. That was the second plebiscite. The third was when the campaign was launched against the Maharaja, the 'Quit-Kashmir-campaign' organised by the National Conference. The Muslim Conference that was a part of Mr. Jinah's Muslim League stood in the way, but ultimately it was defeated. That was the third plebiscite. All these things clearly demonstrate the fact that the Kashmiris decided in favour of a secular State, and they did not want a Muslim State, an argument on which Pakistan is basing its claim on Kashmir in the Security Council; and all the other Member-States are falling victim to it.

It is also true that we have committed certain mistakes. For instance, the first mistake was on our part in our attitude to the cease-fire act. When our valient boys, our army boys were marching against these tribal raiders, these marauders, these invaders, all of a sudden, we cried halt at them, and as a result of that, one-third of the State of Kashmir that legally and constitutionally belongs to us, is now a part of Pakistan.

The second mistake was when we allowed Sheikh Abdullah to represent India at Lake Success. The press attache of Lord Mountbatten describes Sheikh Abdullah as a flamboyant personality. Here a flamboyant personality who went about making flamboyant speeches, and flamboyant ideas got into his head in the salubrious climate of Lake Success. This Sheikh Abudllah was only a provincial leader, not even a national leader. But it was the Prime Minister who allowed Sheikh Abdullah, the lamb of Sheikh Abdullah to eat out of his own hands and converted the lamb into a lion that ultimately thundered back at its benefactor. This was a great mistake that we had committed, and we had given a handle to this world press, that section of the world press that is organised against us.

Coming to the resolution, I know that the withdrawal of the case is not

[Shri Hem Barua]

technically possible, because there is nothing in the U.N. Charter under which once an item is admitted on the agenda it can be withdrawn. There is no provision like that. Therefore, it is technically impossible. Now, supposing India withdraws it by force or by some other method, then there might be other countries who might place it before the Security Council; then, India gets involved in it. The only way for India is to withdraw her membership from the Security Council or from the UNO, which is not possible and which must not be possible. Therefore, I think that this resolution is not the right type of resolution and therefore, we do not want to support this resolution. On the other hand, we think that there can be consultations, and there might be discussions between the two countries for the relations between the two countries are getting more and more improved. I would rather say that in spite of the fact that Gen. Ayub Khan said very recently that we are two countries facing each other with guns and bullets across the cease-fire line and that the Kashmir problem cannot be solved unless and until Kashmir comes to them, we are confident that Kashmir will come to us. When we lodged the complaint with the Security Council we said that in case the Security Council does not decide the matter in time we would get into Kashmir—that part of Kashmir which is under the occupation of Pakistan. That is what the original note of protest that we sent said. I have here the words with me. I can quote them. But there is no time for it. If everything fails we can act on it.

Shri Mulchand Dube (Farrukhabad): Sir, I congratulate the hon. Member who has brought forward this Resolution. But the only purpose it could serve is to indicate to the world and to the United Nations our view with regard to the manner in which the United Nations has proceeded in this matter. There is no doubt that aggression was committed on Kashmir and there is equally no doubt that we were entitled to take this matted to the United Nations and to the Security Council. But, in spite of the lapse of so much time the Security Council has not yet been able to find out whether aggression has or has not been committed. The matter appears to me to be quite clear. But in spite of this, the learned people and the great men of the world who are on the Security Council have not been able to determine whether aggression has been committed or not. The fact that aggression was committed was denied by Pakistan at the beginning; but a short time after when they found it difficult to deny that, they admitted aggression but said that they had committed aggression in self-defence because they apprehended an attack on Pakistan. Therefore, they sent their forces. This is what they said in the Security Council. But, in spite of all this, the wonder is that the Security Council has not yet been able to decide as to whether aggression has has or has not been committed.

As regards the withdrawal of the Resolution, I do not think it is possible to withdraw the case because under the Articles of the U.N. Charter any country can bring a complaint. If we withdraw it, Pakistan is there as a Member of the United Nations. They can also say that the complaint should be there.

Apart from Pakistan, I believe, the Secretary-General has also the power and the right to bring a complaint before the U.N. He can bring a complaint before the U.N. and the U.N. will have to take cognizance of it. Therefore, there is no question of our being able to withdraw the complaint. My submission, therefore, is that the Resolution that has been moved by my friend certainly has the effect of placing our point of view before the Security Council and the world. I do not think that this Resolution is one that should be passed.

Shri Mahanty: Mr. Deputy-Speaker, Sir, I rise to oppose this Resolution

for two reasons. Fristly, there is no Kashmir question on the agenda of the Security Council. And, secondly, even though we withdraw our case from the Security Council, the other side, Pakistan may not be inclined to withdraw it. Therefore, the case will linger on for what it is worth. Only in the process we will lose an international platform where we have kept the issue alive. According to my way of thinking, while the withdrawal of this case from the Security Council will confer on India no new advantage, it will decidedly create a disadvantage for India so far as our keeping world conscience alive regarding this particular issue is concerned.

Now, various Missions of the U.N.O. have visited Kashmir. The fact has to be remembered that there is a stalemate and that the stalemate cannot be broken by whatever we might think or feel. For instance, a stalemate has been created regarding the quantum of forces which should be maintained on both sides of the cease-fire line.

Having accepted the basic concept about the quantum of forces and about the need to have a plebescite, it is really blaming the Security Council for no fault of theirs. At this distance of time one really wonders why this issue was referred to the Security Council at all. In the meantime, memoirs of Shri V. P. Menon and the Memoirs of Campbell Johnson, men who had played very leading roles in the days of Partition, have appeared and from their writings we find that against the inclination of many leading members of the Indian Cabinet this issue was referred to the Security Council. It has been mentioned by Shri V. P. Menon that even Mahatma Gandhi was opposed to refer this issue to the Security Council. It was intrinsically and basically a domestic issue and we should have faced it in the appropriate manner that was open to us. There was no reason to have invoked the authority of the Security Council but after having invoked it, I am afraid, that authority cannot be set at rest.

Secondly, there is no such issue as the Kashmir issue on the agenda of the Security Council. Anyone may go through the proceedings of the Security Council on this Kashmir question. In retrospect, I may say that in 1948, our delegation was led by the late Shri Gopalaswamy Ayyangar who was assisted by an eminent lawyer, Shri Setalvad. The late Ayyangar in his introductory speech which lasted for an hour took many things for granted and stated the case. After that a filibuster followed by Sir Zafrullah Khan for long seven days in which issues from genocide to Jamnagar, canal-water dispute, refugee rehabilitation problem and so on and so forth were brought. So much so, that the entire issue was confused. There was no Kashmir issue but there was the Indo-Pakistan quarrel on various issues out of which Kashmir was one. At that point of time, I fail to understand why the Government of India had agreed to enlarge the scope. I know no answer will be ever offered to these questions. The man who could have offered any answer, the Prime Minister, I know, will maintain a silence on it. But it is the right of this House to know why the Government had agreed to the enlargement of the scope and why it had agreed to the proposal that there would be no Kashmir question but what should be on the Security Council's agenda would be Indo-Pakistan question on various issues. There is no Kashmir question on the Security Council's agenda and therefore it cannot be withdrawn.

Assuming we withdraw it, the Pakistan Government may not feel impelled to withdraw the case. Therefore, the case will linger and in the bargain we will lose an international platform where we have kept the issue alive for what it may be worth.

There is also another question to which I would like to make a reference. I am no admirer of the Anglo-American bloc nor am I an

[Shri Mulchand Dube]

admirer of the communist bloc. The fact is to be viewed in the proper perspective, how the Anglo-American influence is at work. It is you who have accepted the concept of plebescite and so you must have courage enough to say: we do not stand by the plebescite; today Kashmir is part and parcel of India. The Anglo-American bloc is not going to throttle your throat. You can make an announcement that Kashmir is today part and parcel of India; you can say that in the International forum that in view of the fact that Kashmir is part and parcel of India, we do not stand by the plebescite. These things can be said. But we are not prepared to give vent to these hard and bitter truths but blame the Anglo-American bloc to find a scapegoat for one's failure. That is not proper. With these words, I am sorry I have to oppose my hon. friends Resolution.

16 hrs.

Shri Joachim Alva (Kanara): Sir, the spirit is willing but the flesh is weak. Morally, we want to withdraw our case from the UNO but technically we are caught in the web of technicalities. Kashmir has been made a football in international politics, and the American Bloc, especially, has not been as kindly to us as they played a great part in the Suez crisis and in the recent South African racial crisis. America proclaims great principles of tolerance and kindness towards other nations, but I wish it had shown as much fairness and justice in the Kashmir case as it has shown in the Suez and also recently in the South African Racial debate.

America today is being followed by nearly more than two dozen powers of South America in the Kashmir issue. We make an appeal to the South American powers. Cuba has shown a great amount of sturdy commonsense and independence by getting out of the rut of foreign influence. We do hope and pray that the South American powers, the two dozen powers, at least a majority of them, will vote for us and stand by us when the Kashmir question comes up next time or in the distant future.

Perhaps, Sir, Kashmir will be kept like a carass on the forum of the nations, and as my hon. friend on the other side said, Kashmir being a part of India that is independent from the U.N.O. tentacles, we shall stand by Kashmir. The people of Kashmir said—I was fortunate to go there only once—that they wanted a decent justice to be given to them. The people of Kashmir are a very peaceful type of people. I have travelled in many Muslim countries, at least in countries where there are plenty of Muslims, like Central Asian Republics, Africa and elsewhere—Turkey especially. I say that the Muslims I found in Kashmir were the harmless creatures, unaffected, and they wanted a decent justice to be meted out unto them. If you go round in the villages you will find that they have not got the wherewithal. They say that they are still *fakirs* and their condition is basically the same whether in the old regime or the new regime. When the Maharaja turned a clean pair of heels on Kashmir at the time of the tribal onslaught it was a very sad spectacle. No ruler can run away from his people in times of distress, he must either remain and save them or die. Because of the heroic spirit of the Kashmir people not one Hindu was touched during the invasion. The Muslim leaders of Kashmir, especially around Baramula and elsewhere, may God bless the name of Sherwani who was killed—stood like one man and not a hair of a Hindu was touched. That is something for which we shall indeed be proud of our secular character of State. The same thing did not happen in our country because we had our own rivers of blood and we also proved that we can be as bad or still worse when communal passions were roused and the same is the story of Kashmir, the massacre of Baramula is one of the worst chapters in the history of Kashmir. A Spanish nun who had come there hardly six months be-

fore was massacred. The nuns, whether they be Spanish, Italians, English or Irish, who are there will tell you a very sad tale. At least these people were never spared.

Sir, this House has lost an outstanding man by the death of the great patriot, a man who stood like a hero on the floor of Parliament, the late Dr. Shyama Prasad Mukerjee. If, perhaps, we had made up our mind when the Hindu Mahasabha and the Jan Sangh waged their battle in the streets of Delhi five or seven years ago, and met at a round table conference, Dr. Shyama Prasad Mukerjee's life could have been saved; perhaps, Abdullah would not have been the rotten egg that he has proved and the Kashmir problem may have been nearer solution. Sheikh Abullah carried on intrigues even in the forum of the U.N.O. When he went there as adviser he was thinking himself as an uncrowned king of Kashmir. If we had met at a conference then, perhaps Kashmir might have been with us and we should not have had all this tragedy.

Sir, in the Kashmir debate our Defence Minister was an outstanding figure on account of the contribution he made in regard to Kashmir at the U.N.O. But today we have found another budding hero in my hon. friend, Shri Tariq. He has proved what a tough guy he can be. Unfortunately, I was not here to hear his speech, but all my hon. friends have said that he made an outstanding contribution. As I said, Sir, the spirit is willing but the flesh is weak. We want that this issue should be really withdrawn, we have no faith in the justice of the great powers. But we are unable to withdraw it.

श्री ब्रजराज सिंह (फिरोज़ाबाद) : उपाध्यक्ष महोदय, कानूनी दिक्कतों के कारण हिन्दुस्तान की जनता का, जिसमें काश्मीर की जनता भी सम्मिलित है, भावना का आदर नहीं हो पा रहा है। कानूनी दिक्कतों के कारण काश्मीर का प्रश्न संयुक्त राष्ट्र संघ से वापिस नहीं लिया जा सकता है। लेकिन जब वहां से इस मसले को वापिस लेने की बात हमारे सामने हो तो बरबस ही हमें सोचना पड़ता है कि हमने इस सम्बन्ध में कुछ गलतियां की हैं और गलतियों को छिपाने के लिए हमें दूसरे तरीके अख्तयार करने पर मज़बूर होना पड़ रहा है ताकि हिन्दुस्तान की जनता उन गलतियों का बदला उन लोगों से न ले सके जो शासक पार्टी में आज हैं या जो शासक पार्टी में उस वक्त थे जबकि ये गलतियां की गई थीं। असल में सोचना यह चाहिय कि जिस वक्त संयुक्त राष्ट्र संघ में यह प्रश्न भेजा गया क्या उस वक्त उन लोगों को जो हिन्दुस्तान की गद्दी पर बैठे थे और जो खुशकिस्मती से वहां आज भी हैं, यह मालूम नहीं था कि संयुक्त राष्ट्र संघ दो गुटों में बंटा हुआ है और इन दोनों गुटों में से किसी से भी न्याय की अपेक्षा नहीं की जा सकती है। यह गुट दुनियां के प्रश्नों को गुणवाणों की दृष्टि से नहीं देखते बल्कि अपने स्वार्थों की दृष्टि से देखते हैं। अगर उनको एस बात का ज्ञान नहीं था तो मैं समझता हूं कि वे हिन्दुस्तान की पुरानी परम्पराओं का आदर करना नहीं जानते और अगर ज्ञान था तो उसके बावजूद भी उन्होंने इस प्रश्न को वहां भेज कर हिन्दुस्तान के हितों की हानि की। आज प्रश्न यह नहीं है कि काश्मीर हिन्तुस्तान का अभिन्न अंग है या नहीं है। वह हिन्दुस्तान का अभिन्न अंग है, इससे कोई इन्कार नहीं करता है। यह बात एक बार नहीं कई बार जनमत संग्रह से सिद्ध हो चुकी है। जब यह बात सिद्ध हो चुकी है तो उसके बावजूद भी क्यों इस बात की आवश्यकता पड़ गई थी कि हम एक लाइन पर जा कर चुप हो जायें, खड़े हो जायें और अपनी फौजों को आगे जाने से रोक दें। हमारे फौजी जवान कुर्बानी करने के लिए तैयार थे, अपना सब कुछ न्यौछावर करने के लिए तैयार थे, एक एक इंच भूमि को

[श्री ब्रज राज सिंह]

वापिस लेने के लिए तैयार थे लेकिन उस वक्त गलती हो गई और उस गलती का परिणाम हम भोग रहे हैं।

काश्मीर का सवाल अगर हम संयुक्त राष्ट्र संघ से वापिस भी ले लें—जोकि कानूनी दृष्टि से सम्भवतः वापिस नहीं लिया जा सकता है—लेकिन फिर भी ले लें—तो पाकिस्तान तो वहां यह मामला उठाता ही रह सकता है और इसका नतीजा यह होगा कि मामला वहां चलता रह सकता है। इसवास्ते प्रश्न यह है कि संयुक्त राष्ट्र संघ हो हमें इस तरह का एक फोरम बनाने का प्रयत्न करना चाहिये था, इस तरह का एक संगठन बनाने का प्रयत्न करना चाहिये था जहां पर कि न्याय मिलने की आशा की जा सकती। मैं पूछना चाहता हूं कि हिन्दुस्तान की सरकार की तरफ से, हिन्दुस्तान के प्रतिनिधियों की तरफ से जोकि हमारा उस जगह पर प्रतिनिधित्व करते हैं कौन सा ऐसा प्रयत्न किया गया है जिससे कि वह संस्था वास्तव में दुनिया की एक सरकार बन सकती, विश्व सरकार बन सकती, जिस से दुनिया के कमजोर राष्ट्र, निर्बल राष्ट्र न्याय पा सकते। अगर इसका प्रयत्न किया गया होपा, संयुक्त राष्ट्र संघ को अगर इस तरह की एक शक्ति बनाया गया होता, इस प्रकार का एक संगठन बनाया गया होता जिस की तरफ कि दुनिया के कमजोर राष्ट्र देख सकते तो आज अफ्रीका में जो राष्ट्रवाद की लहर उठ रही हैं, उस लहर के पूरा होने में और उसका फल निकलने में बहुत कुछ आसानी हो सकती थी। आज दक्षिण अफ्रीका में जो कलर्ड लोगों के प्रति अन्याय हो रहा है, जो वहां पर कत्लेआम हो रहा है, वह अन्याय और वह जुल्म सम्भवतः न होता। मुझे अफसोस के साथ कहना पड़ता है कि हिन्दुस्तान की सरकार ने, हिन्दुस्तान की सरकार के संयुक्त राष्ट्र संघ में प्रतिनिधियों ने इसके बारे में कोई कार्रवाई नहीं की है, कोई प्रयत्न नहीं किया है। गलती केवल यही नहीं हुई कि हम ने यह प्रश्न संयुक्त राष्ट्र संघ में भेजा बल्कि उसके बाद भी कई गलतियां हुई हैं। कोई कोशिश इस तरह की नहीं की गई जिससे संयुक्त राष्ट्र संघ असली मानों में विश्व सरकार बन सकता।

काश्मीर का जहां तक सम्बन्ध है, वह भारत का एक अभिन्न अंग है। काश्मीर की जनता इसको एक से अधिक बार साबित कर चुकी है। काश्मीर का बच्चा बच्चा इसे साबित कर चुका है। लेकिन वह हिस्सा जो कि हमारा था और जो आज कुछ दूसरे लोगों के कब्जे में है, जबरदस्ती उनके कब्जे में है, उसे वापिस लेने के लिए हम क्या करें, यह प्रश्न उठता है। मेरा निश्चित मत यह है कि संयुक्त राष्ट्र संघ का आज जैसा स्वरूप है, आज जैसी शक्ल है, उसमें हमें कभी भी उससे न्याय नहीं मिल सकता है। जब ऐसी बात है तो हमें सोचना होगा कि कौन से तरीके इस्तेमाल किये जायें, दूसरे कौन से तरीके प्रयोग में लाये जायें, जिससे वह हिस्सा हमें वापिस मिल जाए। अब वे दूसरे तरीके क्या हो सकते हैं, यह प्रश्न उठता है। मैं नहीं कहता कि वे तरीके युद्ध के हो सकते हैं। हिन्दुस्तान की परम्परा युद्ध के खिलाफ रही है, जनता कभी नहीं चाहती है कि हिन्दुस्तान युद्ध करे। लेकिन हमें सोचना पड़ेगा कि जब हमारे सामने मृत्यु या जन्म ये ही दो प्रश्न हों, हमारे सामने ये ही प्रश्न हों, कि हम जिन्दा रहना चाहते हैं या मरना चाहते हैं; उस वक्त हमें सोचना पड़ेगा कि हम इनमें से किस को चुनें। मैं चाहता हूं कि हिन्दुस्तान की सरकार अगर इधर ध्यान दे तो अच्छा होगा और इससे काश्मीर के मसले को हल करने में हमें मदद मिलेगी।

इसी संदर्भ में, उपाध्यक्ष महोदय, मैं यह भी कहना चाहता हूं कि अब तक जो गलतियां हुई हैं, उन गलतियों का हम जायजा लें, उनका अध्ययन करें और भविष्य में उन गलतियों को न होने दें। हिन्दुस्तान

का और भी कोई हिस्सा हो सकता है जहां पर झगड़ा हो सकता है। अगर उस हिस्से को आपने पंच फैसले के लिए देने की कोशिश की तो पंच फैसले में वह हिस्सा बन्दर बांट में पड़ सकता है और हमारे हितों की हानि हो सकती है। इस वास्ते मैं चाहता हूं कि इसका भी आप ध्यान रखें।

Shri C. R. Pattabhi Raman (Kumbakonam): Mr. Deputy-Speaker, Mr. George Marshall, the former United States Secretary of State, stated during the debate on the Greek question tnat assisting and arming of rebellious forces by one nation against another Government is "a hostile and aggressive act". The United Nations charter forbids the very use of force against the territorial integrity of another State. James L. Brierly, a reputed authority on international law and Oppenheim have made it very clear that this will amount to international delinquency and will violate international obligations. Oppenheim says:

> "When a State complies with these requirements and pays such compensation as is appropriate in the circumstances, no blame falls upon it on account of such injurious acts. But, of course, in case a State refuses to comply with these requirements, it commits thereby an international delinquency, and its hitherto vicarious responsibility turns *ipso facto* into original responsibility."..

Judging from these observations and the international principles well accepted all over the world, there is no doubt that aggression had taken place, so far as Kashmir is concerned, and we are the people who complained in December 1947 to the Security Council, referring to this aggression.

What has been referred to frequently—and it has been referred to by many hon. Members today but because of the shortness of time I have to summarise them—is that, judging from their various conclusions, the Security Council Resolutions of 17th and 20th January 1948 and later on fell short of solving the problem in regard to Pakistan's aggression on Kashmir because, firstly, it failed to call upon Pakistan to stop aiding the tribal invaders. Secondly, it also failed to pass judgment on the merits of the claims of India and Pakistan as to the finality of accession of Kashmir to India and their responsibilities towards Kashmir before and after its accession to India. Thirdly, it should not have enlarged the scope of the dispute by including the counter-charges preferred by Pakistan for they have no real relevance to the aggression on Kashmir. So, it is really a case of aggression by Pakistan in Kashmir.

The Australian Jurist, Sir Owen Dixon, stated that Pakistan's direct intervention on the side of the tribal invaders in May, 1948, "was inconsistent with international law". But the Commission did not pass any judgment on Pakistan's intervention in Kashmir, although it asked the Council to call upon Pakistan to withdraw its regular troops from Kashmir as a first step towards the final settlement of the aggression by Pakistan on Kashmir.

I will now only briefly refer to our leader Shri Krishna Menon's speech in the United Nations in 1957, where he stated:

> "We have not held back anything that is used against us. But this was the finding of one of the investigators who, on balance, was not favourable to the Indian position and had a considerable number of reservations. But on this issue his judicial training and with the facts before him—and every lawyer knows that whatever may be the right of the occupant, no trespasser has a right to priority —he said that. So here is a categorical statement in the report of

[Shri C. R. Patabhi Raman]

the U.N. Representative that there was an aggression".

Various settlements have been attempted, so far as the aggression on Kashmir by Pakistan is concerned, and I will just briefly refer to them. Firstly, there was the direct mediatory attempt of the Security Council through the intervention of the President. Secondly, there was the United Nations Commission for India and Pakistan, which also tried to settle this problem. Thirdly, there were the efforts of General McNaughton of Canada. Fourthly, there was the mediation by Sir Owen Dixon. Fifthly, there was the Frank P. Graham Mission. This, in brief, is the history, so far as the aggression of Pakistan on Kashmir is concerned.

So far as the ceasefire border violations are concerned, it is also true that the numbers are really alarming. From 1949 to 1959 they have gone up to 27 in all. Not only that, I also find that our airspace has been violated 16 times in 1958, 7 times in 1959 and once in 1960. So far as cattle-lifting is concerned, I find that it was done 66 times in 1958, 73 times in 1959 and 22 times in 1960. Therefore there is continuous aggression, and various hostile acts and international delinquency are committed by Pakistan.

16.16 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

I can quite understand the feelings of my good and hon. friend, Shri Tariq. He is a son of the soil. He knows what it is that his people have suffered and are suffering on account of this aggression and the various acts of delinquency by Pakistan. So it is right that the world should know how the people of Kashmir feel. As regards these border violations and various trespasses, we have done our best. If I may say so from a perusal of the speeches of Shri Krishna Menon in the Security Council during January and February, 1957,—with great respect I say that they are worth reading—our case has been put well before the Security Council and before the General Assembly. At one time it looked like a heavy snowing and it had to melt. It is no doubt true that there is a different feeling now internationally speaking so far Kashmir is concerned.

Mr. Deputy-Speaker: The hon. Member's time is up.

Shri C. R. Pattabhi Raman: I will take just two minutes more.

Mr. Deputy-Speaker: I can give him one minute more.

Shri C. R. Pattabi Raman: People are sitting up and appreciating to the justice of our complaint. There is a feeling in some quarters at least in the eastern hemisphere, that the dice has been loaded a bit. There were many people here who were doubtful about the decision on the question of Goa. See what has happened. We have always stuck to our obligations. Mahatma Gandhi never said that we should stop from carrying out our obligations. So far as Pakistan is concerned, he did not want to wait for the various demarcation questions to be settled. He insisted on India fulfilling her obligation. Morally our stature has risen very much in the world. We, who have been responsible to a great extent for international goodwill coming into existence, cannot now back out of either the United Nations or the Security Council. Whatever be the provocation we will still persevere with our peaceful methods. With the present atomic weapons anything may happen and if a country like India goes out of the United Nations. I have no doubt that ultimately dharma will triumph —*Yato dharmah tato jayah*. Ultimately, truth will prevail. *Satyameva jayate* is our motto.

Mr. Deputy-Speaker: Shri Pattabhi Raman has pushed out another hon. Member.

Shri Hem Barua: He conveniently refused to hear the bell.

Shri S. L. Saksena (Maharajganj): Mr. Deputy-Speaker, Sir, I think one of the most g orious acts that we did was to send our troops in Kashmir when it was invaded. But, I think, an equally inglorious act was when we accep.ed the cease-fire. I think in both of these cases it was the influence of General Auchinleck who was our Commander-in-Chief and who was consulting our Generals on the front that persuaded the hon. Prime Minister to enter into the agreement that ended in the cease-fire while the Prime Minister was in Europe.

When I went to Kashmir soon after the cease-fire, I was surprised to find from our Generals who were there that we had just to walk over and probably with a month left they would have gone to the borders of Kashmir. But unfortunately the British Commander-in-Chief betrayed us and collaborated with his British counterpart in Pakistan. He gave a report to the hon. Prime Minister and said that he accept this agreement. The result is that for so many years Kashmir prob'em has dragged on.

Another blunder that we committed was, again on the advice of the British Governor-General here, that we sent our troops to Kashmir. That was ano'her blunder because he knew that both the parties were interested in it. In fact, partition was made by the British simply because they did not want to give up Gilgit and those parts.

The third blunder we have committed in Kashmir was the offer of plebiscite. There was no reason for it. It was probably as a result of sentimentalism, and I may say, immaturity in those days when he had just become the Prime Minister and the Foreign Minister.

But now what is the position? Now the Kashmir matter is before U.N.O. it is impossible to withdraw the matter. Secondly, I think our case is strong on merits. I think the case that has been put up by our spokesman, Shri Krishna Menon, has been very ably put and we must thank him for that wonderful presentation of our case. We must not fear the consequences. It may be delayed. But we cannot lose it because right is on our side—We have been the victims of aggression—and no power on earth, howsoever big or powerful it might be, can deprive us of Jammu and Kashmir. We can never lose Kashmir. In fact today we are fighting for Ladakh. Why? If we were not in possession of Kashmir, what is the position of Ladakh; what is the trouble with Ladakh? So, even Pakistan in fact admits that Kashmir is ours. We are fighting against aggression in Ladakh, and we are negotiating.

We should not withdraw the case. There is no question of withdrawing our case from the U.N.O. It cannot be withdrawn. It will be a blunder. Now we will have to go to the end. And I hope we shall be able to win the case, because ours is a right cause, it is a just cause and we shall succeed.

Shri Ansar Harvani: I am one of those who believe that the United Nations is one of the greatest achievements of the human race for peace and for stopping war, although I am conscious that in spite of the best efforts of the Indian delegation headed by Shri V. K. Krishna Menon, it is not yet represented by one-sixth part of the human population of the world, namely China. But there is no denying of the fact that this is the most representative international organisaion in the whole world.

But at the same time I am conscious that in spite of its international character and in spite of its great achievements, it has not yet been able to do justice to the peop'e of Kashmir. My thoughts go back to those people in Occupied Kashmir who are being kept under the iron heel of a

[Shri Ansar Harvani]

foreign aggressor and a military regime and who are being denied all democratic rights which the people in the rest of Kashmir are enjoying. Let us remember the circumstances under which India had to go to the United Nations. It was a time when the Pakistan Army, in the garb of tribal hordes, was on the outskirts of Srinagar. It was a time when the entire Kashmir was on fire. It was a time when in India itself, rivers of blood were flowing as a result of the communal riots.

But today things have changed. In Kashmir we have had two successive general elections. In those general elections the National Conference was returned to power which in unequivocal terms has declared that Kashmir, and every inch of Kashmir, is part of India. And today in Kashmir there is no trouble. So the situation has completely changed.

On the other hand we should remember that due to the fact that the case is before the United Nations, quite a considerable population of Kashmir is still under the slavery of Pakistan. At the same time we should also remember that in spite of the international character of the United Nations, in spite of the fact that on it are represented almost every big and small power in the world, there are certain very important members of the United Nations who are trying to develop that part of the country to become a permanent part of Pakistan. I mean the construction of the Mangla Dam. I mean the use of the American arms in Pakistan. I mean Pakistan being a part of various treaty organisations in which the Anglo-American bloc is helping them.

Therefore, the situation today is completely changed. We have to revise our attitude towards keeping our case before the U.N. or not. I am not going to enter into the legalities, whether the case can be withdrawn or not. I leave it to the leader of our delegation who leads this country very ably in the UN to explain it. But I will urge upon him and urge upon the Government to revise our entire policy about Kashmir *vis-a-vis the* U.N .

The time has come when we have to revise our policy whether we should keep the case in this form or not. Today we should remember that every man and woman in India feels about the people in Occupied Kashmir. We should remember that every man and woman in Kashmir is determined to continue to be with India. India shall not rest content unless that part of Kashmir becomes part and parcel of India, the part which is under foreign occupation. Kashmir is ours. We live for Kashmir. We shall die for Kashmir.

श्री रघुनाथ सिंह : उपाध्यक्ष महोदय, हमारी जो इस्तदुआ सिक्योरिटी कौंसिल में थी वह सिर्फ दो लाइन की ही थी कि :

"Please, ask Pakistan Government not to aid the raider."

बयान तहरीरी जो पाकिस्तान ने दाखिल किया उस में पाकिस्तान ने कहा कि कादमीर हमारा है । अगर आज हम अपना केस वहां से उठा लेते हैं तो पाकिस्तान का बयान तहरीरी अर्जी दावा हो जायेगा और हमारी अवस्था एक मुद्दालय की हो जायेगी, न कि हमारी अवस्था एक मुद्दई की होगी । इस वास्ते पाकिस्तान के खिलाफ सिक्योरिटी कौंसिल से केस उठा लेने से हिन्दुस्तान की हानि है, हिन्दुस्तान का कोई फायदा नहीं है ।

दूसरी बात यह कही गई है, और महात्मा गांधी का नाम महन्ती साहब ने भी लिखा है, आप लोक सभा के डिबेट में देखेंगे कि सन् १९५२ में हमारे प्राइम मिनिस्टर ने कहा था कि उन्हों ने इस विषय में महात्मा गांधी से सलाह ली थी और उन का आशीर्वाद पा कर ही इस प्रश्न को यू० एन० ओ० में उपस्थित किया गया था । महात्मा गांधी के

आशीर्वाद के साथ जो हमारा अर्जी दावा दाखिल हुआ है, इन बातों को देखते हुए, अगर हम उस केस को सिक्योरिटी कौंसिल से उठा लेते हैं तो यह हमारे हित में अच्छा नहीं होगा ।

जिस संयुक्त राष्ट्र संघ में सारी दुनिया के राष्ट्र हैं, सिवा एक राष्ट्र चीन के, क्योंकि अब स्पेन को भी यू० एन० ओ० में शामिल कर लिया गया है, हम उस से अलग नहीं जा सकते । दूसरे यह कि अगर हम अपना केस सिक्योरिटी कौंसिल से उठा लें, तो दूसरे राष्ट्रों को अधिकार है कि वह इस मामले को फिर सिक्योरिटी कौंसिल में पेश कर सकते हैं । उस वक्त हमारी अवस्था मुद्दालय की हो जायेगी, मुद्दई की नहीं रहेगी । आज तो हम यह कहते हैं कि पाकिस्तान एग्रेसर है, और अगर वह ऐग्रेसर है तो सिक्योरिटी कौंसिल को एग्रेसर को दंड देना चाहिये । अगर पाकिस्तान ऐग्रेसर साबित होता है तो पाकिस्तान को उस के कांसिक्वेनसेज़ भुगतने पड़ेंगे । लेकिन अगर हम अपने केस को उठा लें तो हमारा सारा जो केस बना है सिर्फ एक प्वाइंट पर कि रेडर को एड न दे, उस सारे केस को हम खो देंगे । इसलिये मैं कहना चाहता हूं कि सिक्योरिटी कौंसिल से इस केस को हमें नहीं उठाना चाहिये ।

तीसरी बात यह है कि हमारे दोनों प्राइम मिनिस्टर कामनवेल्थ कान्फ्रेंस में मिल रहे हैं ।

श्री वाजपेयी : वहां प्राइम मिनिस्टर कहां हैं ?

एक माननीय सदस्य : प्रेजीडेंट ?

श्री रघुनाथ सिंह : हां, वहां के प्रेजिडेंट साहब और हमारे प्राइम मिनिस्टर दोनों मिल रहे । पाकिस्तान हमारा पड़ोसी देश है मैं चाहता हूं कि पाकिस्तान से हमारा मेल जोल बढ़े, पड़ोसी से झगड़ा करना ठीक नहीं है । मैं इस चीज का स्वागत करता हूं । लेकिद इस के साथ साथ अगर कोई अच्छा सोल्यूशन निकल आये तो हमें उस का स्वागत करना चाहिय, लेकिन सिक्योरिटी कौंसिल से केस को उठा लेना कोई बुद्धिमानी का कार्य नहीं होगा ।

Shri N. R. Muniswamy (Vellore): I oppose this resolution tooth and nail because there is neither flesh, nor substance, nor even spirit in it. I think there is no urgency or immediacy about withdrawing our complaint from the U.N. The U.N. has got its own rules and regulations which are complex. I am not a pundit and probably the Defence Minister may be able to clarify the position as to whether we are in a position to withdraw the case.

Is this the time for us to withdraw it? A new situation is developing from day to day, and if we withdraw it, it will create another situation and a new contingency, and we may not be able to meet it.

What will be the advantages of withdrawing it? After withdrawing, what are you going to do? What is the alternative? Are you going to take back the territory occupied by Pakistan by other methods? The hon. Mover spoke in Hindi, and I do not know if he suggested any way of getting it back.

Mr. Deputy-Speaker: I can tell the hon. Member that he has not suggested any methods.

Shri N. R. Muniswamy: If he has not suggested any methods, he has driven us to a land of absurdity, because, then, it would only bring us down in the eyes of the world.

Mr. Deputy-Speaker: I am sorry I gave him the information, because I did not expect these remarks from the hon. Member.

Shri N. R. Muniswamy: I am sorry, but when he replies he can refer to it.

[Shri N. R. Muniswamy]

In case we withdraw, there will be another difficulty. Now we are in the position of a petitioner, and Pakistan happens to be the defendant or respondent. If we withdraw, the position will be reversed or transposed. And still, we can newer come out of the situation. I do not know what the procedure in U.N. is, whether it is the same as the procedure in the courts of law here. That may be something different. And we do not know the difficulties that would arise therefrom. Therefore, I would only say that this resolution as it stands now will only create a condition from which we shall not be able to get out. Even if we try to do it, we shall get caught in the complicated procedure. Therefore, this is something which is inextricable, and we cannot come out of it.

Therefore, I would request the mover of the Resolution to withdraw it, without making any more observations about this. The point has been put forth very ably by my hon. friend Shri C. R. Pattabhi Raman. I have not gone through the valuable documents which he has referred to. But I can say as a common man or as a layman, from what we read in the papers, that at an earlier stage, it had been opined that Pakistan was the aggressor. That is a verdict in our favour and against Pakistan. We would be losing that first-class verdict in our favour if we withdraw the case now. Further proceedings are still pending at the United Nations. It may be that they may be having their own delays and their own tactics in putting off this matter for a long period. But that is all to our advantage only, and it will never be to our disadvantage. So, what is the hurry for withdrawing the case now? If we withdraw it, we shall only be creating more trouble.

It was said that this resolution was some sort of protest. We protested on so many occasions but with no effect. If we withdra our case now, it would not be any protest at all, but on the other hand, it would do a great disservice to India, and disservice to Kashmir also. For Kashmir is now having more peace. If we withdraw our case now, in protest, they will get caught again, and there will be fresh difficulties. A new situation may come into the limelight over which we shall have no control. Already, a serious situation has arisen in our northern border, and that is going to be added to by withdrawing our case from the UNO; it is not a wise thing in my opinion. I do not want to entangle the hands of our leaders in so many complications.

I would only request the hon. Mover to withdraw his resolution. He may ask the leaders to throw some more light as to what the next alternative is, by which we can get back the occupied territory of Kashmir.

Pandit D. N. Tiwari (Kesaria): I congratulate Shri A. M. Tariq for expressing very fine sentiments in this House, but I wish he had moved a resolution in some different form. We know, and everybody accepts it, that the resolution as it stands cannot be implemented. All the discussions are in the air. We are not going to turn this House into debating society.

Shri Hem Barua: It is a debating society, after all.

Pandit D. N. Tiwari: No., I do not think so. (*Interruptions*). I think we are a responsible body, and we must treat this House as a responsible body. Shri Hem Barua may think that it is a debating society, but it is not; it is a responsible body.

I wish the resolution had been framed as a sort of protest or to send our reactions on the action of the Security Council in not deciding the case yet on the claim that we had filed there. No doubt Pakistan is the aggressor, and it has been ac-

eepted in some form or other by the Security Council also, though not in a very open and clear way.

To withdraw our case from the Security Council at this stage will land us in many difficulties. When we think that it is against our interest to withdraw it, how can we withdraw it? As at present circumstances, we cannot withdraw it.

Many wrong things have been said, which I do not have the time to contradict now. Many have said that Gandhiji was against it. Many have said that we have committed some wrong. It is easy at this distance of time to say these words. But when the matter was then pending, we could not think of any other way but to go to the Security Council and file our case there.

So, I would request Shri A. M. Tariq to withdraw his resolution, taking into consideration all these facts. If he wants, he may move another resolution to send our reactions and the opinion of the House to the Security Council.

The Minister of Defence (Shri Krishna Menon): This resolution coming within the private Members' time might perhaps—I only said, perhaps—give an impression that it is somewhat out of relationship with the immensity of this problem. We may not however forget that this debate, however few we are here, has a vast audience, an audience just across our frontiers, an audience in the world, and particularly amongst the Great Powers.

Shri Tariq has moved this Resolution which has given us an opportunity of reminding ourselves of this problem. It will live with us unless and until Pakistan vacates its aggression on Kashmir territory, because what is involved here is really the sovereignty of this land. This is the fundamental issue.

The Resolution before us asks us to withdraw our complaint or rather our reference—we did not, actually make it as a complaint—to the Security Council. Mr. Deputy-Speaker, Sir, I say with great respect that the criticism that is made of the Mover's approach to this, for availing ourselves of this remedy is bad, but, if I may say so, the reasons given for it are worse. The reasons why we cannot withdraw this from the Security Council are not merely technical ones. If they are technical ones, we would overcome them. The reasons go to the basis of our foreign policy, of our approach to international affairs and, what is more, to our security.

Now, there are certain fundamental things in connection with Kashmir. This debate has roamed far and wide. Therefore, it becomes necessary, since matters have been raised, to refer to some of them in brief.

First of all this reference was made to the Security Council at a time when conditions as far as were known then were not the conditions that came to be known afterwards. We submitted the complaint to the Security Council under Chapter VI of the Charter of the United Nations—Pacific Settlement of Disputes—because at that time we were not aware of the fact that Pakistani Armies had intervened. At least we were not officially aware. At that time many Pakistani nationals were there and they were aided and abetted by Pakistan; but it had not become a warlike action by a constituted State.

Secondly, at that time our one desire was to limit the spreading of conflict. Reference has been made—and I think it is only right to refer to it—allegation has been made to the sinister role of Lord Mountbatten in this affair. Apart from being a reflection on Lord Mountbatten, it is rather a reflection on this country. We were a self-

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governing Dominion at that time and it was incumbent on the Governor-General as the Head of the State to act according to the advice of his Ministers. So, if we place the responsibility on Lord Mountbatten, we are really blaming our Government and our Prime Minister. But, in fact, what is alleged is not the case at all. Lord Mountbatten's role in this, as Head of the State, was to accept accession. But, in the subsequent letter that went out there was some reference to the ascertainment of the opinion of the people to which I shall refer later.

Therefore, the main position in regard to this was this: we went there at a time when we did not know as much as we did later. And, our lack of knowledge was not due so much to our lack of care as to the fact of deliberate concealment on the other side. And, so, when Pakistan made its reply —some 15 days later—to the United Nations they answered our application with several points—I think it was 14 or something of that kind. But only one of them referred to Kashmir the others were references to Junagadh, Hyderabad and genocide and the two nation theory and all kinds of things which had nothing to do with this matter. The long reply did not refer to the Kashmir State except a two line paragraph or so in which they denied aggression. The others are irrelevant. Our complaint was, therefore, in fact, met by denial which, afterwards, was proved by U.N. Observers to be wrong. Therefore, there has been no legitimate or proved fact in support of the denial.

Reference has been made to the fact that aggression has not been found by the United Nations. This is to throw away the support we have got from the findings of the U.N. Commission itself when Sir Owen Dixon stated that on such and such a date when the Pakistani forces crossed the frontier they committed a breach of international law. That might be a roundabout way of saying it. But it was a finding that aggression had been committed.

In this matter we have to stand from on various factors. Ours being a modern nation, though an old country, being a modern nation, having come into independence after the emergence of the United Nations and the Charter, the commitments in relation to the Charter are part of our Constitution. Therefore, we are bound as much by the municipal law of this country as by the international obligations which have been sanctified or accepted by our municipal law. We cannot get away from the obligations of the Charter of the United Nations.

Secondly, it is not our interest to get away from it. The solution now proposed, if it were accepted, would be something like saying, if you have got a bad headache, cut off your head. That would be no remedy. So, to displace the United Nations and to lend our support even if we are badly hurt would be to disown and disengage ourselves from all the obligations, moral and otherwise we have entered into. It would accentuate or rather would take us away from the forces that operate in this world towards world peace and co-operation and human development. What is more, it would belie every profession and every declaration that we have made before that body in this regard. It is quite true that aggression has not been vacated in Kashmir. It is also true that even the United Nations in its resolutions—it is sometimes forgotten—has found in favour of our sovereignty of that region, because every resolution speaks about the sovereignty of Jammu and Kashmir—Jammu and Kashmir is an integral part of India—and because there are no States in this country, whether it be the Maharashtra that has to appear or Gujarat that has to appear next week or Kerala in which there is trouble often or Bengal or Punjab, there are no States with international boundaries, with frontiers. The frontiers of Jammu and Kashmir are on the Arabian Sea, the Bay of Bengal and the foot of the Himalayas. That has been sanctified by the declaration of the U.N. where it speaks of the sovereignty of the Jammu and Kashmir Government

which is indeed the Government that is like any other Government, part of our constitutional arrangements. It is so by international law; it has been accepted by Pakistan, by ourselves and the British Government at the time of Partition. It is international law.

Secondly, it is the will of the people themselves declared in their constituent assembly and afterwards by two different elections from which latter only those people who were held away by duress were prevented from participation. Even if they had voted against it would still leave a large electoral majority in favour of the declared will. Therefore, the plebiscite has been gone through. We come to this question raised by Shri Sadhan Gupta. He said that we made a mistake in making a commitment about the plebiscite. We are inclined to accept the versions of other people about us; we are even likely sometimes to accept such terms. Two or three years ago, it was common in our country to speak about Kashmir and India as if they were two separate countries. We have got out of it. Similarly, when we speak about the plebiscite and so on, we are accepting the version of people who do not agree with us. We made no commitment in regard to the plebiscite without any conditions. True, we have referred to it. The only resolutions of the U.N. by which we are bound are the resolution of the 13th August, 1948, 5th January, 1949 and the 17th January or whatever it is. These are the only resolutions to which India has agreed. Every delegate, myself or any representative of the Government—every delegate had been instructed and has said it before the Security Council that we are not bound by any resolution which we have not accepted. We may in good faith try to carry out what the Security Council decides; we cannot prevent the Security Council passing resolutions anything more than we can prevent the SEATO powers declaring India to be under their protec- royalty were to return to some particular country whose name I shall not mention and were to say, "Macmillan was my ancestor and the whole continent of America is part of my country", we could not stop him doing it. You may send him to some place for mental cure. If the Security Council were to pass any resolution or the SEATO powers were to say that any country below the 32nd parallel is under its protection, we cannot stop them. We can only refuse to accept them. There was thus no question of any resolution being accepted.

It takes me to a point of the plebiscite. There is the "Plebiscite Front" and what not. What has been their view at the U.N.? We accepted it as a working basis some years ago. Some years ago, there was a resolution which was divided into three parts; it is what may be called a concertina resolution. One part is tied up with the other. The second part becomes operative only when the first part is performed; so also, about the third part. Our contention has been and I am glad to say that it is now regarded as at least not controvertible—that the first part has not been performed. That first part was that the Pakistani elements in the territory of Jammu and Kashmir must withdraw. Their contention was that they were not there; and it was said that all the forces that there were at that time, except such people as were required for local police work in the so-called Azad Government, should withdraw. At that time when the Resolution was passed, the Northern areas were not under the Azad Government and in fact the Pakistani delegate himself admitted that he had no control over it. Therefore, the whole area which is now so significant to us, much more than is realised by our countrymen,—Baltistan, Gilgit, the whole area of Chitral, the frontiers with China, Soviet Union and so on, that is, those areas—was never part of Azad Kashmir; those areas were and are within the sovereignty of the Jammu and Kashmir Government.

So when this resolution was passed the Pakistan Government had agreed

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to withdraw all these forces. Not only did they not withdraw these forces, they accentuated and added to them. Therefore, the first part has not been performed, and unless the first part is performed the second part is not triggered. That has been our argument. I hope we have successfully established it that the first part has not been performed and, therefore, we cannot look at the second part because it is necessary to have the first part performed.

Supposing, for argument, sake, the first part has been performed, then comes performance of the second part which, maybe on account of our weakness, maybe because we are preoccupied, maybe because we never had experience in these matters, has been easily "translated", by those who ought to know better, as meaning de-militarisation. We have never at any time, whether in Shri Gopalaswami Ayyangar's time or anybody's time, agreed to the de-militarisation of Kashmir. No sovereign nation will agree to de-militarisation of its own territory. And, on behalf of the Government of India, I would say—we are accused of passion in this matter; as the Prime Minister rightly said, it is not my passion, I only reflected the passion of the country in this matter—we would not permit, we would not agree to any tribunal however great, we would go down as a people rather than agree at any time to de-militarisation.

So there is no question of de-militarisation in this matter. There is another point in this first part. Apart from the withdrawal of these troops, it was said in the first part that it was incumbent on the other side not to create conditions which would create turbulence between us. So, when they carried on all this campaign with all their heart and when speeches were made that they would invade us the jehad, they created that kind of conditions and they have broken the first part.

So unless Pakistan behaves like a civilised nation and not carry on a war of nerves, a psychological war against us, continually pricking our frontiers and everywhere, as she has been doing, unless the first part is fulfilled—the first part was not fulfilled—and I make no reservation in this matter; the first part in regard to the resolution of 13th August remains unfulfilled and, what is more, it remains violated—the second part does not come into operation.

But even if the first part has been performed, the second part would require taking away, first of all, of the forces, the 32 battalions of the so-called Azad Army, Pakistan's regular army that have come in possibly after the conclusion of cease-fire, after the drafting of these agreements. It is only when they have been removed that other matters would come in.

Then, what is it that in the second part we have committed ourselves to? We said we would withdraw ourselves at certain points. I am sure I am not endangering the security of the country when I tell you that even today on the soil of Jammu and Kashmir, the number of Indian Armed Forces is at a level lower than permitted by the cease-fire agreement. That is the pacific approach that this country has made to this problem.

Supposing it was the case, even the second part has been performed, what do we say in the third part? We never said anything about a plebiscite in the third part. We simply said that we would discuss with the Pakistan Government certain methods, this, that and the other, and out of those methods were put on a kind of architectural plan in the 5th January resolution. It was not an offer of plebiscite. In fact, there are various documents, which you can obtain from the Ministry of External Affairs, where the United Nations itself has said that plebiscite is only one method of ascertaining the opinion. So the plebiscite which has by repetition become almost a gospel, was not a commitment on our part. If it was a commitment it was a conditional commitment, it required the satisfaction of three or four stages of conditions, which have not only been

not fulfilled but have been violated by the action of a reverse kind.

So, when we went to the U.N., we agreed to this resolution in order to restrict the area of war, in order that the specific purpose of the United Nations may be promoted.

The second point we have to remember is this, that we have not taken a "Dispute" to the United Nations. There is no dispute, so far as we are concerned, about Kashmir. There is no more a dispute about Kashmir than there is a dispute about U.P. What is before the Security Council, under the terms of the Charter, is a "Situation" which is very different from a "Dispute". And, what is more, the Security Council has not got the powers under the Charter to adjudicate in a legal dispute. That could become the function of the World Court if we agree to its jurisdiction. But no legal issues can be resolved at the Security Council under the terms of the Charter. Therefore, if it is a dispute, it must be either a boundary dispute or a legal dispute. If it is a boundary dispute, it would have to be settled under the terms of a pacific settlement where there must be agreement on both sides. Therefore, we have referred no dispute. We have referred a situation—I have forgotten the relevant clause of the Charter—which was inimical to the peace of the world, which was deteriorating the relations between two countries and which might lead to this, that and the other.

The third fact to be remembered is this. Perhaps the House would not feel very much moved by it, but they are familiar with this phenomenon as well as other individuals at the United Nations. In all these years, we have been maligned up and down the world on many charges. We have been charged with genocide; we have been charged, for example, with ill-treatment of the minorities—who are the majorities in Kashmir—and what is more, we have been told that the Muslim populations of India—I hope the Muslim population, if they recognise themselves as a separate identity, will take this into account—we have been charged with holding the Muslim population of India as a hostage in regard to Kashmir—a large hostage indeed, of 60 million. So, that is the third factor, that we should bear in mind.

The fourth is that it is quite true the resentment of this House and of this country as a whole in regard to the Security Council is understandable, that the Council is composed of 11 nations, most of them nations whose constitutions are founded in the ideas of truth and liberty, who have not thrown their weight on the side of resisting aggression.

Even as late as last year, the Secretary-General, when called upon in another connection to state the juridical position about the changes of sovereignty, said that no act of war could be permitted by the United Nations to change what is called the *status juris*. That is to say, the State of Jammu and Kashmir is part of this country under the international law, under the terms of the Constitution in 1935 which was implemented at the time of partition, and what is more, by the fact that the United Nations themselves have recognised in their resolutions on Jammu and Kashmir—When the question of Jammu and Kashmir was raised—that Jammu and Kashmir Government had no international status except inasmuch as they could be either related to us or to Pakistan—of course, it related to us. Therefore, this position having been recognised, there could be no question whatsoever of our surrendering any part of this territory, and that is why our position has been on the one hand consistent with the background of our country and the necessities of the world and on the other with the practical considerations of the situation.

We have told the Security Council that 40,000 to 42,000 sq. miles of our territory remain under external occupation. There is yet another thing that is not fully realised; they have been annexed by Pakistan, I believe,

[Shri Krishna Menon]

under clause 1 sub-clause (2) of their Constitution legally from their point of view and from our point of view illegally. They have been annexed by Pakistan. We have not recognised and we will not recognise the fact that we have ceased to be sovereign over those territories. What is more, under our present Constitution, with the recent decision of the Supreme Court, no Government in this country except by an amendment of our Constitution, can alter the boundaries of Jammu and Kashmir, because they are part of our sovereign territory, and there can be no change of our national boundaries except by an amendment of our Constitution. So, it has been made very clear. Therefore, the excitement on the part of Shri Tariq about Mangla dam is natural, but, in my humble submission, unnecessary, because, no Government in this country—not that it wants to do so, but even if it wants to—can alter the boundaries; it is not possible except by a change in our Constitution.

Then, reference has been made to the fact that we are not taking enough care about it: what have we done to take our country back? Questions have also been asked with regard to the present position. First of all, I would like to say that the present position is that on our sovereign territory, are two administrations: one is the civil administration of India functioning and the Government of the State of Jammu and Kashmir, indeed as any other State, and the other is the *de facto* administration which is inimical to the exercise of our sovereignty, the so-called Azad Government and certain principality governments presumably in these mountain States. This is the *de facto* position; and these are held apart not so much by physical forces as by voluntary agreement on our side. It should not be forgotten that India was the party which initiated these cease-fire negotiations. And that we negotiated at a time when, as some one has stated, there was the prospect of armed victory. Rightly or wrongly, and I believe rightly, we took the view that victory by armed forces alone is not enough and it is necessary to proceed to a settlement. On either side of the cease-fire line are observers of the United Nations and it would not be proper for me to mention what I feel about the performance of the operations in so many cases. They are composed of many nations, and I regret to say that many of them belong to military alliances, whose business it is to report on cease-fire violations. These violations are complained of by the Parties and, if you look at them, they will look like a score-board! That is to say, the aim appears to be—I speak subject to correction, because there is the risk of criticism, but this looks like a score-board—to even up. Actually, we made some hundreds of complaints —I forget the number now, I think it was 1,028—against Pakistan and they have made 870 complaints against us. But the score is always even it is always slightly tilted against us over the years. It looks like that. We will leave that alone.

This cease-fire line is not held by any armed forces but is held by observers and by a law that, in fact, operates against us, because we observe international law and very scrupulously, that is, within five miles of that line no armed forces can operate, with the result that when a raid is committed, we cannot do anything about it, because our uniformed men are precluded from going there which will violate that line. That is the position regarding the cease-fire line. Of course, I do not want to whine about the position and we are carrying on as best as we can.

Mr. Deputy-Speaker, the worst part of it is that during the last three years considerable acts of sabotage have taken place inside our territory, and when I say territory I mean our administered territory, a very unfortunate word. I hope Dr. Ram Subhag Singh is not here.

Dr. Ram Subhag Singh: I am here.

Shri Krishna Menon: In a part of our administered territory, these acts of sabotage have happened. This was

originally initiated by an ex-General called Akbhar Khan, but it so happens that we have an Institute of Armament studies. Arms research and what not, and there is no doubt whatsoever that the materials for these sets, the personnel for this, the money for it, according to the investigations, have proved to come from Pakistan. It is an act of under-ground war or guerilla war against us. We might take the evidence of what cannot be called an authority inclined in our favour, the *News Chronicle* of London. It says:

> "An unofficial cloak and dagger movement has been launched inside Indian Kashmir by fire-eating General Akbhar Khan, a veteran of the 1948-49 Kashmir war days, to counteract the internal distress and bolster up his own position.... Thus, this tacit encouragement of subversive movements of General Akbhar Khan suggests he intends to have Kashmir by fair means or by foul."

Then he goes on in various places to talk about taking these places by force, if need be. Our policy is based on friendship with our neighbours, whoever they might be, but equally it is based on resistance to aggression.

Now much has been said about our preparedness in this matter. We cannot shut up our minds, and indeed we did not, and we told the Security Council that on the other side of the Indo-Pakistan international frontier, not the cease-fire line but upon the other side of the Indo-Pakistan international line is not only the country of Pakistan but a member of a great military alliance. That is to say, it is like our war machinery in British days. This country's power at that time was not what was collected here but what was here and the British war office put together. Similarly, Pakistan stands in a greater military alliance and in view of the various conditions, I do not want to go into greater detail about it. It is said or thought that the change of Government in Pakistan has brought about or is bringing about some results. I hope it will. I think we may not forget these things, because we have to keep our powder somewhat dry, even if we trust our neighbours.

Dr. M. S. Aney: Completely dry.

Shri Krishna Menon: This is what the General said when he was commanding an army, and he was not a pensioner. He said:

> "I hope to have an army which is highly skilled and it is on that that the future of Pakistan will depend....The American commitment was to give the Pakistan army the means to create certain units that would balance certain divisions. This programme has now been geared in. It is moving splendidly. It is a limited programme."

17 hrs.

It was "limited" two years ago and it is still "limited". Then he goes on to say—this is a press report:

> "General Ayub said that this was, for the first time, that exercises envisaging the use of tactical atomic weapons were being staged in Pakistan....Hitherto, the Pakistan Army's studies have been confined to studies of atomic warfare in the tactical field. 'To put our observations to a practical test, this exercise is being staged.' The conclusions and the technique of fighting in nuclear battle-fields would be evolved from this exercise. The exercise is being staged keeping in view the terrain in West Pakistan plains...."

This is the important part of it.

> "The exercise is being staged keeping in view the terrain in West Pakistan plains where riverine obstacles...."

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I said:

> "There are no rivers on the other side in the way of obstacles."

That is, the whole idea is that all these things are in order to resist the Soviet Union but the riverine obstacles are on our side. I said:

> "I do not have a copy of a map to circulate but you know where riverine obstacles are."

The report goes on to say:

> "The battle has been developing during the past two months. Now, the climax is about to reach."

This has been the position two years ago. It is not my purpose to heat up any difficulties or to come in the way of any conciliatory processes that go on. Going back to this question of explosions inside, during the last three years there have been 229 cases of explosion in the territory of Jammu and Kashmir, on the whole working out at an average of 90 a year, that is to say, one in every four days. When I say explosions, at present they are not what may be called merely countrymade explosives of any kind but they have war materials in them.

Also, in the same period there have been infiltrations into our territory, first starting at just over a hundred going up to 211 in 1958, 152 in 1959 and 25 in the few months of this year, that is, the first two months of this year. Infiltrations mean not people who come because they are hungry. The infiltrators are international criminals who are penetrating our frontiers and who have been either arrested or rounded up and so on. But as circumstances obtain, we do not deal with all these people every time. They can be pushed back. They are pushed back. But these are the fellows who really try to do harm. So there is an act of incipient aggression against us going on all the time. This should be borne in mind and it should not lapse into the background of our thinking when we are talking of the territorial integrity of our land.

Now that takes us to the last of our positions. Government cannot accept the Resolution as it stands for the reasons I have stated and not because some technical positions cannot be found if we want to. There are technical difficulties, but they can probably be overcome. It may even be that the Security Council is tired of it. But suppose that you withdraw it from the Security Council, there is nothing to prevent the whole issue from going before the General Assembly. At the present moment it does not go before the General Assembly where it is possible to gear votes even more because it is tied up in the Security Council. Two organisations of the United Nations cannot debate the same question at the same time. Therefore it does not go in the way the more assumes. But if we were to withdraw this question from the Security Council, because we want to, certain consequences follow. We would have proclaimed to the world that now the Charter is no longer worth adhering to. That will be a grave decision to take.

Therefore it is not only Kashmir that is involved. It is the basis of our foreign policy, it is the basis of the world organisation and our whole approach to peace and world co-operation that are involved. Therefore whatever risks we may have in this matter—and there are no risks just because the question is in the Security Council—the only eventually is that it is possible for Pakistan to bring it up now and then and have a debate. But there are no military risks just because the matter is in the Security Council. On the last occasion when this was brought up before the Council of Pakistan the risk was of foreign intrusion under the guise of importing "United Nations Emergency Force". It was sought to be proposed in the interests of Pakistan, by some of the western powers that a United Nations Emergency Force should go into the territory of Jammu and Kashmir. The Government's reply at that time in no uncertain

terms and in extremely categorical ones was that we would not allow in any circumstances, foreign soldiers to tread on our soil, that is to say, we would not permit the bringing in—not only not permit we would resist and push them out—we would physically not permit anyone entering the territory where our administrative writ ran. If the idea was to bring them on the other side we may not be able to prevent it except by an act of war. But we would regard that as further violation of our sovereignity and with international support. Therefore, in 1958 I think it was, the Government of India very stoutly resisted the proposal for the sending of a United Nations Emergency Force for this purpose, which would have meant the sending of troops of certain countries acting as international soldiers—for what purpose, one does not know—because that would have been violation of our territory, and the Security Council was prevented from such action.

There is at the present moment no actual physical danger to us, but there is this question remaining unresolved but in the Council. From a moral and legal point of view there is much to be gained. Therefore, Government cannot agree at all to this resolution. Speaking for myself, it would be very wrong for me to say that it should not have been brought, because there are various parliamentary methods of raising issues. This is perhaps one of them. It is important that we should have this question in our minds, partly because of the presence of the Indian army on the soil of Kashmir, and much more so on account of the economic and democratic development that has gone on in the State of Jammu and Kashmir.

There is comparative quietude, and the solution of the problem of Jammu and Kashmir will rest on the industrial and economic development of our land and the maintenance of our unity. That way, the political and social equilibrium will so shift that there will be no option for the people on the other side except to join their brethren on this side of the Cease-fire line.

Thus it would be better for us, it would be part of our policy that we do not attempt to do that by the violation of an agreement we have reached. We have told the Security Council that under international law every agreement that we have entered into, we shall carry out. But we shall not accept an agreement because somebody says we have accepted it. Secondly, we have also confirmed, we have pointed out that there are certain principles and doctrines of international law which have to be observed, for example what is called *in dubius mittius*, that is to say, if a treaty is entered into by two sides has to be interpreted, it has to be always interpreted liberally in favour of the person who carries the greater burdens in the implementing of it.

Therefore, in regard to all these matters a different view has to be taken. But it very much depends upon the determination of this country. We may not forget that not long ago—it is now getting on to thirteen years—this country, this part of India was invaded, invaded first by irregulars numbering about a quarter million, and for a few days a single battalion of the Indian army was responsible for checking the tide of invasion. And on the soil of Kashmir lie buried some of the best officers and men of our fighting forces. We owe a debt of gratitude to them, and, what is more, we owe a debt of obligation to see that there shall be no residing on our part—no back-sliding on our part in this matter.

Kashmir is a live issue with us, because it is part of our sovereign territory, not because it is a piece of land; it is part of our history, it is part of our kinship, it is a sector of our people. What is more, the econo-

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mic development of that territory, the development of its resources, and the prevention of the intrusion of the apparatus of international conflict into the Asian Continent, is very much dependent upon our ability to maintain our hegemony over this strategic area.

Dr. Ram Subhag Singh (Sasaram): Sir, because a little reference was made to me, may I say a word? I am very grateful to my friend....

Mr. Deputy-Speaker: Order, order.

Dr. Ram Subhag Singh: Only one thing, if you permit me. Otherwise I will sit down.

Shri D. C. Sharma (Gurdaspur): There cannot be a speech of Shri Krishna Menon without his interruption, and there cannot be a speech of Dr. Ram Subhag Singh without a reply from him.

Mr. Deputy-Speaker: Shri A. M. Tariq. He will be very brief now.

श्री अ० मु० तारिक : जनाब डिप्टी स्पीकर साहब, जहां तक इस रेजोल्यूशन का ताल्लुक है मेरे इस के पेश करने का मकसद यही था कि मैं हिन्दुस्तान के रहने वाले लोगों के जजबात का इजहार करूं और जिस तरीके से अकवाम मुत्तहिदा ने हमारे मसले को लिया है और जिस भोंडे तरीके से उसे तय करने की कोशिश की है यकीनन मेरा मकसद यही था कि मैं उस के खिलाफ प्रोटेस्ट करूं ।

मेरी सब से बड़ी ख्वाहिश यह थी हुकूमत से, और किसी हद तक हुकूमत ने उसे पूरा किया है, कि मुस्तकबिल में, आने वाले जमाने में अकवाम मुत्तहिदा और हुकूमत हिन्दुस्तान पाकिस्तान को इस बात की इजाजत नहीं देगी कि हमारी सरहदों पर गड़बड़ करे, हमारी रियासत के अन्दर साजिशें हों, बाम्ब केसेज हों । इस के साथ ही मैं हुकूमत से यह भी तवक्को रखता हूं कि वह अकवाम मुत्तहिदा को मजबूर करेगी पाकिस्तान से यह कहने के लिये कि चितराल और गिलगित में जो तामीरात हो रही हैं, जो एअर पोर्ट्स बन रहे हैं, उन को फौरन रोक दिया जाय ।

जो ऐश्योरेंस डिफेन्स मिनिस्टर ने और अकवाम मुत्तहिदा में हिन्दुस्तानी डेलिगेशन के लीडर ने दी हैं, उन को देखते हुए मैं इस रेजोल्यूशन को वापस लेता हूं ।

श्री यादव नारायण जाधव (मालेगांव) : चीन के बारे में भी एक रेजोल्यूशन लाओ !

[شری ع - م - طارق - جناب ڈپٹی اسپیکر صاحب - جہاں تک اس ریزولوشن کا تعلق ہے میرے اسے پیش کرنے کا مقصد یہی تھا کہ میں ہندوستان کے رہنے والے لوگوں کے جذبات کا اظہار کروں اور جس طریقہ سے اقوام متحدہ نے ہمارے مسئلہ کو لیا ہے اور جس بھونڈے طریقہ سے اسے طے کرنے کی کوشش کی ہے یقیناً میرا مقصد یہی تھا کہ میں اس کے خلاف پروٹیسٹ کروں -

[میری سب سے بڑی خواہش یہ تھی حکومت سے - اور کسی حد تک حکومت نے اسے پورا کیا ہے - کہ مستقبل میں - آنے والے زمانے میں اقوام متحدہ و حکومت ہندوستان پاکستان کو اس بات کی اجازت نہیں دیںگی کہ ہماری سرحدوں پر گڑ بڑ

کرے - ہماری ریاست کے اندر سازشیں ہوں - باسب کھسیز ہوں - اس کے ساتھ ہی میں حکومت سے یہ بھی توقع رکھتا ہوں کہ وہ اقوام متحدہ کو مجبور کرینگی پاکستان سے یہ کہنے کے لئے کہ چترال اور گلگت میں جو تعمیرات ہو رہی ہیں - جو ایر پورٹس بن رہے ہیں ان کو فوراً روک دیا جائے -

جو اسیوریلس قفینس منسٹر نے اور اقوام متحدہ میں ہندوستانی قیلیگیشن کے لیڈر نے دی ہیں - ان کو دیکھتے ہوئے میں اس ریزولوشن کو واپس لیتا ہوں -

شری یادو نارائن جادھو (مالیگانو) چھن کے بارے میں بھی ایک ریزولوشن لو -]

Mr. Deputy-Speaker: I shall now put amendments Nos. 3 and 4 of Shri Vajpayee to the vote of the House.

The amendments were put and negatived

Mr. Deputy-Speaker: Has the hon. Member the leave of the House to withdraw his resolution?

Hon. Members: Yes.

The Resolution was, by leave, withdrawn.

Shri Kalika Singh: He has withdrawn it conditionally.

Mr. Deputy-Speaker: No conditions attached to it.

17.12 hrs.

DISCUSSION *RE.* PHOTOGRAPHS OF VOTERS OF CALCUTTA SOUTH-WEST PARLIAMENTARY CONSTITUENCY

Shri S. M. Banerjee (Kanpur): You will remember, Sir, that while making a statement on an adjournment motion or a calling attention motion the other day, the hon. Deputy Minister of Law clarified, or tried to clarify, the position or conditions prevailing in Calcutta relating to this by-election. I am going to quote from his statement to show that the by-election in the Calcutta South-West Constituency is going to be held in a chaotic condition.

According to the figures supplied by the hon. Deputy Minister, the total number of voters in that constituency is 3,41,933. Out of this number, 2,15,000 voters have been successfuly photographed up to the 18th April, 1960.

17.13 hrs.

[MR. SPEAKER *in the Chair*]

Identity cards totalling 1,90,600 have been issued to the voters. A further 7,000 cards sent out by the authorities have been returned undelivered. as the persons were temporarily absent or had permanently left their residences. So if you summarise all the figures, it comes to this that 1,26,933 voters have not been photographed, while 7,000 identity cards have been returned undelivered.

I may mention for the information of the House that when they photographed these 7,000 voters, they must have been staying in some

[Shri S. M. Banerjee]

houses. How can it happen that after the photographs were taken, all these 7,000 voters either temporarily or permanently disappeared from the place? It surpasses my imagination, and I am unable to understand, how those voters were photographed; and if they were genuine voters, where did they disappear?

It might be said that those people must have left their residences or the particular locality and gone elsewhere. My little experience of Calcutta is that anybody who gets a house does not leave it unless he is dead, because there is absolute scarcity of accommodation in Calcutta. So, the position comes to this that 1,26,933 persons have not been photographed, and 24,400 voters have not been delivered their identity cards. If we add another 7000 to that, it comes to 21,400.

I shall read out for the information of the House a notification issued by Shri P. K. Bose, Electoral Registration Officer, Calcutta. I am quoting from *The Hindustan Standard* dated the 17th April, 1960. It reads thus:

> "All voters of the Calcutta South-West Parliamentary Constituency who have not yet been photographed under circumstances which can be explained to the satisfaction of the undersigned as also those who have been photographed before the 31st of March, 1960 but have not yet received their identity cards are hereby requested to come to the office of the undersigned at 105|7A, Surendra Nath Banerjee Road, Calcutta any day during office hours before 23rd April 1960."

That is up to tomorrow.

> "Those voters who have satisfactory reasons for not being photographed so long will be photographed in the office while photographs which could not be delivered due to absence of their owners from their houses will be made over to them from this office. In case it is found that a voter's photograph taken previously has not been successful such a voter also will be photographed again in this office. All voters are requested to bring with them evidence of identity, the same as they were required to produce at the photo centres.
>
> Those voters who were photographed after the 31st March, 1960, may expect to get their identity cards at their places of residence by 23rd April 1960."

I would invite your attention to the word 'may'.

> "If they do not receive cards by that date they also are requested to visit the office of the undersigned with necessary proof of identity by 25th April 1960.".

I would remind this House that the election is to take place on 1st May, 1960. The last paragraph in the notification reads thus:

> "As far as practicable every endeavour will be made to issue identity cards to all these voters before 1st May, 1960.".

The election starts on 1st May.

So, from this notice which was issued by the electoral registration officer, Calcutta, it is absolutely clear that he is not even sure whether the identity cards will be issued or not. Imagine a condition where out of 3,41,933 voters, only 2,15,000 voters have been photographed. 7000 identity cards were returned undelivered. Nearly 14,400 men have not received their identity cards. Imagine the chaotic condition in which this election is taking place.

I should like to make it clear in this House that I do not stand for postponement of this election. I do not come from Calcutta. But my fear is only this, If this House wants to uphold the banner of democracy in this country, it will have to consider whether 1,26,000 men should be deprived of their legitimate right to vote. That is a fundamental right guaranteed under the Constitution.

This question was raised during the discussion on the Demands for Grant of the Law Ministry. My hon. friend Shri Sadhan Gupta had raised it. A very pertinent question was asked by my hon. freind Shri Tridib Kumar Chaudhuri, as to why there was delay in this by-election. I might mention that nearly a year or at least ten months have passed since Shri Biren Roy who was a sitting Member of this House was unseated by the Supreme Court.

Shri T. B. Vittal Rao: One and a half years.

Shri S. M. Banerjee: The question was asked by Shri Tridib Kumar Chaudhuri as to why there was delay. Shri A. K. Sen replied:

> "But I may tell my hon. friend Shri Tridib Kumar Chaudhuri that the delay was not due to photographing. On the contrary, the delay was due to the fact that after photographing started, as I anticipated, it was found that 40 per cent of the rolls was absolutely incorrect.".

So, according to the statement of the Law Minister, a screening was done, and the figure of 3,41,933 is the correct figure; it does not include as far as I can make out from the statement of the Law Minister, any bogus voter. So, after screening, the figure came to 341,000. For the information of the House I may state that the number of voters in this constituency in 1957 was 403,712; and after screening, in 1960, the number of voters was 3,41,933; 2.15,000 were photographed and identity cards issued to 1,90,600; and the number of men deprived of the vote is 126,000. So, one-third of the voters of this constituency are unable to cast their votes because of the delay on the part of Government.

Now, I would like to read the provisions of the law. I am not a lawyer and I know I shall be told in reply..

The Deputy Minister of Law (Shri Hajarnavis): On a point of order, Sir. As I have already stated, in the statement which I have laid before the House, the legality of the matter is to be heard by the Calcutta High Court on Monday. So, I think, the discussion can only be confined to find out the steps taken by the Election Commission....

Shri S. M. Banerjee: I am not mentioning the legal point, Sir.

Mr. Speaker: Order, order. The hon. Member will kindly resume his seat. Under rule 195:

> "There shall be no formal motion before the House nor voting. The member who has given notice may make a short statement and the Minister shall reply shortly. Any member who has previously intimated to the Speaker may be permitted to take part in the discussion."

This is something like a half-an-hour discussion; only the time is twice as much.

I have heard the hon. Member. Some other hon. Members have also given notice. So, all that I would say is that the hon. Member should confine himself to stating what the grievances are and what the remedy would be. We are not going into the fundamentals as to whether it is legal or not.

Shri S. M. Banerjee: My whole speech will be based on the statement made by the hon. Minister. I am not going to say anything more; and I believe....

Mr. Speaker: Not about the legality which is *sub judice*.

Shri S. M. Banerjee: The hon. Minister mentioned certain clauses of the Representation of the People Act. I am not going to mention anything which the hon. Minister did

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not mention. I think the hon. Minister made the statement knowing fully well—as a lawyer—that the case is before the High Court. I am only mentioning that....

Mr. Speaker: The point is this. Whatever is before the Court for a decision should not be touched lest it should prejudice the decision.

Shri S. M. Banerjee: I am not referring to this.

Mr. Speaker: The legality of it should not be touched. How the photographs can best be taken and other things could be done may be mentioned. The hon. Member has already taken 13 minutes.

Shri S. M. Banerjee: I should be be given at least 15 minutes, Sir.

Mr. Speaker: I will give him two more minutes; he started at 5.10.

Shri S. M. Banerjee: Sir, the discussion started at 5.15.

Mr. Speaker: No, no; I came earlier Anyhow I will allow him 5 more minutes.

Shri S. M. Banerjee: So, Sir, I want to read from the amending Act which we passed in 1958, to avoid bogus voting or impersonation. The Act says this. I am reading section 61(b).

> "for the production before the presiding officer or a polling officer of a polling station by every such elector as aforesaid of his identity card before the delivery of a ballot paper or ballot papers to him if under rules made in that behalf under the Representation of the People Act, 1950, electors of the constituency in which the polling station is situated have been supplied...."

Sir, I would request your attention to the words—

> "have been supplied with identity cards with or without their respective photographs attached thereto;"

My submission is that the drafter of this Bill, which ultimately became an Act, could visualise the chaotic conditions that would prevail in such a bye-election in Calcutta. So, he used the words 'have been supplied'. Supplied by whom? The onus or responsibility is on the Government or the election machinery. That is my submission.

Then, the draftsman said:

> "identity cards with or without their respective photographs".

He had visualised that the identity cards may be ready but the photographs may not be supplied, because they have begun this Himalayan job, a new experiment very late It may happen that all the photographs may not be taken. After all the camera is not a sten-gun that it can be used to kill about 2,000 men in a few-minutes. After all it takes time. He had in his mind that this condition may take place and this contingency may arise and so used the word very cautiously, "have been supplied with identity cards with or without the respective photographs." This is the expression which the framers of the statutory rule use and I would read it:

> "The Electoral Registration Officer for such notified constituency shall, as soon as may be, after the issue of the notification under sub-rule (1) arrange for the issue to every elector of an identity card prepared in accordance with the provisions of this rule.
>
> The identity card shall (a) be be prepared in duplicate; (b) contain the name, age, residence and such other particulars of the elector as may be specified by the Election Commission; (c) have affixed to it a photograph of the elector which shall be taken at the expense of the Government; and

(d) bear the fassimile signature of the Electoral Registration Officer:

Provided that if the elector refuses or evades to have his photograph taken, no such identity card shall be prepared for the elector and a note of such refusal of evasion shall be made in the copy of the electoral roll maintained by the Electoral Registration Officer."

These rules were drafted in a state of complacency hoping that this particular machinery will be able to photograph all those persons but unfortunately those people have not been photographed. We believe in a parliamentary democracy and if in a constituency where 3,41,933 voters exist about 126,000 are deprived of their votes, what is the fate of this election? What are the minimum requirements of a man in this country, or in any other country? He wants two hot meals, one house to live, a wife and a vote. I do not stand for any postponement. Even the electoral roll has not been supplied to the candidates. On 25th April, the working or the taking of photograph is not over, how can the election take place on May 1st? Will it continue till the 1st of May when polling also will be held? These 126,000 voters do not want postponement but they should be given the right to vote. I hope this Government which believes in democratic principles will upold the democratic principles and institutions will allow these people who are without identity cards and photographs to vote. Otherwise, election will be a farce. I do not say anything with a political motive. This will happen in my Kanpur constituency after two years or in other constituencies. These are the few questions that I have to pose.

Shri A. K. Gopalan (Kasargod): Sir, I will touch upon the points already touched upon by the previous speaker. The future of parliamentary democracy depends upon free and fair elections, for which two things are necessary. Firstly, those who have the right to vote should exercise their votes and those wno have no right cannot exercise that right.

Now, four things are stated in the latest Press note of the Electoral Registration Officer. Firstly, it is a clear admission that a large number of eligible voters have not been photographed. Secondly, of those photographed, many have not been supplied identity cards due to the absence of owners from their houses. Thirdly, many photographs have proved unsuccessful and such voters will have to get themselves photographed again. Fourthly,—it is very important—it says that every endeavour, as far as practicable, will be made to issue identity cards to voters before the 1st May, 1960.

In this press note the Commissioner has said that as far as practicable photographs will be supplied to all the voters. That means, if it is not practicable, thousands of voters will not get their protographs. In other words, when this was released on 17th April, the Election Commissioner has admitted that it is not practicable for all the voters to get photographs, without which they would not be entitled to vote.

Then, in respect of those who have already been supplied photographs, he says, because the photos are meant for identity if the photos are not clear—he has himself admitted that some of the photographs are bad—they will have to be photographed again.

Now, the first thing that a candidate standing for election will require is a voters' list, a list of those who are eligible to vote from his constituency so that he may approach them. According to the figures given here, even though 2,000 or 3,000 voters have been given photographs, till the 1st of May the candidate will not know who are

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his voters. Without knowing who the voters are, what can a candidate do? Whom can he approach? If you simply say that some people in Calcutta will be eligible to vote and others will not be eligible, whom can the candidate approach till the 1st of May. The candidate will not be able to understand who the real voters are, without which he will not be able to approach them and request them to vote for him or tell them why they should vote for him.

According to the Representation of the People Act the candidates standing for election are entitled to have at least a voters' list. We had an election in Kerala some two months back. What was done there? A fixed time was given. It was said that within a month if there was any kind of impersonation or anything of that sort the other party, the affected party can bring such cases before the polling officer. If the persons concerned do not appear before the polling officer then he will say that those persons have no right to vote. That was the reason why it was found that in some constituencies 3,000 to 5,000 voters were found to be not real voters and election petitions have been filed in such cases.

Here is a new system of giving photographs to voters. This system is being introduced for the first time. If by this system the real voters do not lose their right to vote we have nothing to say against it. What does the Election Commissioner say? He says that he cannot guarantee whether all those who are eligible voters will be given their photographs. If they do not have their photographs they will not be eligible to vote. He has said that he will try to see that all of them get their photographs.

There is another thing that I would like to bring to your notice. Some people, the upper middle class people and others do not like to stand like a convict with a photo and number. Many women have said that they will not stand like convicts with their photos and numbers. This is a sentimental objection. Can an election be conducted under such circumstances?

Apart from this sentimental objection, people are not so very conscious that they must do everything themselves in order to exercise their franchise, they must get themselves photographs so that they may be able to exercise their franchise. When they are not so very conscious, by introducing this system now you will make thousands of people not to exercise their right to vote.

Therefore my suggestion is this. As far as 1st May is concerned, the Election Commissioner has said that it will not be practicable to supply all the voters with photographs. Under such circumstances, if the Government want to conduct the elections on the 1st of May itself, they can do so under the old system of elections. As far as possible not a single man should be denied his right to vote because of the new system. Here, if you adopt this system, thousands of people will not be able to vote. Therefore, postpone the date. Enlist the cooperation of all parties and get the voters' list ready. In this new system of having photographs is to be introduced, then give enough time, so that with the co-operation of all parties, with the co-operation of the people standing for election and the general public, explaining to them that it is necessary to have the elections conducted under the new system, you can have the elections conducted in the proper way. Otherwise, you will be conducting elections under conditions where the parties concerned and the people seeking election will not know who the voters are. It is also said that some photographs are hurriedly taken. I do not accuse the photographers because they are taking the photographs hurriedly. In fact, in some places, if these photographs are taken so hurriedly, the photograph will not be in the form of a man or woman but just something like an animal sometimes!

Again, it may be noted how these things are carried out. Once an ex-judge went to the voter and asked the woman voter not to stand in such and such a manner but to stand in the manner he advised her to do. "Do not stand like this" and so on, he said. The voters do not like such things and they naturally question, "Are we convicts to stand like that with the numbers and the photographs like that?" So, the sentimental objection is there. Some say that they do not want to have the photographs taken like that. So, unless and until we educate the voters and get their co-operation and are able to take photographs of the voters who have the right to vote, it is no use hurrying up with such measures.

Now, you want to have the elections today, when the candidates themselves do not know who the voters are! I do not understand whether it can be called a free and fair election. According to the Election Commission and the electoral officers, it is clear that as far as practicable every endeavour will be made to get the photographs in time. But whatever endeavours have been made the people do not like the methods. This is an unfortunate situation. All endeavours have not been very fruitful though there have been some results.

So, my request in the first place is, postpone the elections by three months. Request for the co-operation of the people. The Communist Party is ready to co-operate. You must tell the people that such and such things are to be done, and tell them that the photographs are taken to get the co-operation of the people in all possible ways for the success of the election. The authorities must see that the photographs are taken and distributed properly and that not a single man who is in the voters' list and who has the right to vote loses his right of vote in the election. Therefore, I would say, either have the election on the 1st of May without the photographs or postpone it at least for three months, and see that, with the new system of voting, so many voters do not lose their voting rights.

Shri Aurobindo Ghosal (Uluberia): Sir, I come from an industrial area just opposite to the constituency in question. I do not know if these photographs will be introduced in my area also. The practical difficulty will be 50 per cent of the voters will be scared away, not because that they are bogus voters but because they are workers. I say this because there are inherent difficulties. The proper atmosphere is not there, nor any education has been given to them in these matters. No previous training has been given to them so that they can come forward and cast their votes.

The first difficulty lies in the matter of time. These workers are engaged from morning till evening in the mills and factories, and it is not possible for them to spare the time to come and give their photographs. Secondly, these workers are not very conscious of their rights. We have seen that in village areas the percentage of polling is higher than in the working class areas, because we have to persuade the workers to come and vote. Not only we but all the candidates, to whatever party they may belong, have to persuade the workers and arrange for them to get leave from the companies or factories in which they are employed. So, all these difficulties are there which have to be faced in persuading the workers to come and have the photographs and then to bring to the voting place. But in the village areas, the voters come in large numbers to cast their votes. Naturally, there is an indifference on the part of working classes to come as voters ond cast their votes. This is one important factor which has to be considered. They will be scared away if photographers are insisted upon.

The next point is one of huge wastage of money. The wastage results in this way. Most of the workers change their place of work; they go from place to place frequently, and every time, since they change

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their areas, if the photographs are to be taken and adjusted with another constituency, then it will be difficult for all concerned, and this will result in huge wastage of money for Government also. These photographs will be of no use after the concerned voters change their place of work, and join a mill or factory in another constituency.

Of course, the only point that is being stated on behalf of Government is that they will be able to stop bogus voting. But even now I can tell the House that nobody is going with photographer to identify the voters. For instance, if I take out my photograph, say, as one Sushil Bose who is a voter it is impossible from the photograph to know that I am the real person. Therefore, in any case, you are not going to achieve....

Mr. Speaker: Let me put one question. Every adult is entitled to one vote. So, there is no necessity for any person to impersonate some other man who is alive, because that man who is alive has his own vote. Then, there cannot be two photographs of the same person. I can understand a dead man being impersonated, because the dead man has no vote. But a living man need not be impersonated, before that man has also his own vote. I am not able to understand it.

Shri A. K. Gopalan: The photographer goes to various places and takes photos. Before taking photo one has to produce some receipt of tax or something. A person gets all these papers from somebody and gets himself photographed. Then he goes to another place and there also he gets himself photographed. He can do it in three or four places.

Mr. Speaker: Is this corporation election? In these elections there is adult franchise, is it not so? No property qualification is necessary. A man who goes there must correspond to the photo that he carries with him. Today a man cannot vote in two places.

Shri A. K. Gopalan: He can vote.

Mr. Speaker: In the same election he can vote once or cannot vote; he cannot vote twice.

Shri A. K. Gopalan: As a right he cannot vote but he does.

Mr. Speaker: Possibly, what they do is they withhold the photographs and subsequently substitute them. When once a man is photographed with that photograph he can vote only once.

Shri S. M. Banerjee: I will explain it in half a minute. I am S. M. Banerjee and I am a voter. When an enquiry was made, S. M. Banerjee was not in his house. In Calcutta there being so many slum areas, it is possible that there are 20 people with the name S. M. Banerjee.

Mr. Speaker: If S. M. Banerjee is not there and some other man is there, that man has also got his own vote.

Shri S. M. Banerjee: Suppose there is one Sushil Mohan Banerjee in the place of Satyendra Mohan Banerjee, that is, S. M. Banerjee. He goes to the photographer and takes a photograph of himself. He goes to the polling station and casts his vote as S. M. Banerjee. But the real vote is not of S. M. Banerjee at all. Who is to check it? The total number of votes may not increase.

Mr. Speaker: That is all right. Whoever impersonates S. M. Banerjee, he has his own vote. Why should he take the other man's vote? By his own right he has got a vote.

Shri A. K. Gopalan: It may be anybody. If there are one lakh of voters how are you going to check it?

Mr. Speaker: That is right.

Shri Aurobindo Ghosal: Then, the whole area of West Bengal is not being photographed, only the urban and industrial areas are photographed. If the whole State is going to be

photographed, then there is less chance of impersonation.

Shri Manaen (Darjeeling): Is this in order to avoid proxy?

Shri Aurobindo Ghosal: If the whole election is held on a single day, it is difficult to have bogus voting. Taking photograph is not the proper way of checking bogus voting.

Lastly, I want to point out that in the South West Calcutta constituency sufficient time was not given to the voters to come forward for their photographs. Also, the parties were not taken into confidence so that they can also propagate whatever is good in the system to the voters in order to persuade them to go to take their photographs. We must remember that in these areas there are some conservative families. I may tell you quite frankly that my grandmother will not agree to get her photographed, whatever may be the importance of the occasion. That is a practical difficulty. This cannot be removed in one day or soon unless we systematically and persistently propagate the advantages of this system.

In a nutshell I would like to point out to the hon. Deputy Minister of Law that there is a major portion, I would say 25 per cent. of the voters that consists of bogus voters. In no constituency in India there are so many bogus voters. Therefore I would request the hon. Minister to see either by postponing the election or whatever it might be that the voters who are genuine voters and who have been left out due to want of photographs can be photographed and are entitled to cast their votes in the coming election.

Shrimati Renuka Ray (Malda): Mr. Speaker, Sir, my hon. friend, Shri Banerjee, made a very eloquent speech No doubt, it sounds very bad if one says that this is a method by which so many people are sought to be disfranchised. But what actually are the facts? Let us sift the facts.

It was decided to bring in the healthy practice of photographing the voters, particularly in the city of Calcutta and other urban areas probably later on, because of a very unhealthy practice that was being gone in by—I do not mention any particular political party—political parties as such, namely, the system of proxy and because large numbers of persons who were not actual voters used to impersonate others. Why did this happen particularly in the city of Calcutta is because of the fact that there is a large population which comes in and goes from Calcutta daily, that is, the floating population. Therefore it becomes easy to do this kind of impersonation when voting takes place. This is an acknowledged fact. It was because of this that this House decided to bring in a law by which this taking of photographs in cities like Calcutta became possible and the notification was made on the basis of a law passed by this Parliament. That is the background.

It is true that this could not have been liked by many persons. Again, I do not want anyone to think that I am mentioning any particular party. But it was certainly not liked by those who are used to this system of impersonating votes and allowing it to happen. It is true that out of 3,41,000 voters who have been found to be genuine voters, photographs of over a lakh are not quite ready. At least that is what I understood from the statement made by the hon. Minister. I think he also said that an attempt is being made to see that these photographs are ready in time.

As far as I understand the argument raised was that many of these people would have willingly agreed to be photographed but for the hours at which the photographers went round. I understand that the photographers go round from 7 o'clock in the morning so as to get those people who went out to work. It all went on properly for some time, that is, from

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the 21st June to the middle of August. The photographying went on and there was no hitch until this time. Afterwards, what happened.....

Shrimati Renu Chakravartty (Basirhat): How many have been photographed?

Shrimati Renuka Ray: Over 1,50,000 people could be photographed by then. That itself shows that it could have been possible had people not been dissuaded from it. I listened to Shri Gopalan's speech. With all deference to him I would say that so far as the women of the city of Calcutta are concerned, they are not the women who would not come forward to be photographed. That is not correct. They are not that type of women who would fight shy of being photographed. People who live in the city of Calcutta are not of that type. Again, I do not want to impute any motives to anyone in particular, but it is rather strange—and it is a fact—that since the beginning how it was that although the photographers went round and continued to go round so many people were not photographed, why it was that this delay took place later on, and who was behind this move by which it was possible to come to a position now that so many persons have not been photographed and therefore there is a likelihood of their being disenfranchised.

I understand from the hon. Minister's statement that every attempt is being made now to see that their photographs are taken in time.

I would submit that the Election Commission in our country has a very good record, a very great reputation, a reputation which is international. Other countries come to learn at the feet of our Election Commission as to how to hold free and fair elections. Therefore, I would leave this point not to the Government, nor to any party, but to the Election Commission. If they feel that the conditions are such that a free and fair election can be held, then, I think we should not ask them either to scrap this system—which some people would like, of course, not having photographs at all—or delay it. I think the best judge will be the Election Commission who are noted for their objectivity and who, as I said, have established a reputation of which we are indeed very proud. And all that I would ask of the Members who have spoken, as well as of this House in general, is that we leave it to that Election Commission. Let the Election Commission decide, as they have done in the past, and as they have done fairly and freely and courageously; and they will not bow down to any Government or to any political party's whims or fancies.

With these words I would again stress that it is easy enough to use high-sounding phrases and say that this disenfranchisement is being done because the system of photographs is being brought in. I think that for a city like Calcutta, where many malpractices have taken place in the past, it is a very good system that is being brought in so that each man who is a voter will be known as a voter and he alone or she alone will be able to vote in future.

With these words I again submit, let the Election Commission be the judge. And I think that this country as a whole and the world at large will certainly agree that the Election Commission will not do anything that is unjust and unfair to disenfranchise any one.

Mr. Speaker: Shri Yadav Narain Jadhav. Each Member will take two minutes.

Shri Yadav Narain Jadhav (Malegaon): I have very good facts and I may be given more time.

Mr. Speaker: The Minister has to reply.

Shri Yadav Narain Jadhav: The Defence Minister was speaking up to 5-20, and one hour has been allotted for this.

Mr. Speaker: Hon. Members have their own sense of time: Before 5—15 he finished. He finished at 5—10, I find.

श्री यादव नारायण जाधव : अध्यक्ष महोदय, आज जो सवाल मेरे अजीज दोस्त श्री एस० एम० बनर्जी ने सदन के सामने रक्खा है, मैं उस के बारे में कुछ कहना चाहता हूं । हमारे देश में आज तक जो एलेक्शन्स हुए हैं उन के बारे में हम ने अपने देश में एक मिसाल कायम की है कि हमारे एलेक्शन्स बहुत बड़ी हद तक अच्छे हुए हैं । दुनिया में भी उन का कुछ नाम हो सकता है, ऐसे भी हमारे एलेक्शन्स हुए हैं । हमारी सयासी जमातों को यह कबूल करना पड़ेगा कि कई जगह एलेक्शन्स में, मैं पार्टियों का नाम नहीं लेना चाहता, हम इम्पर्फेक्शन करते हैं । केरल में भी इस बारे में तकरार हुई थी और अभी अभी माननीय सदस्या ने कहा कि कलकत्ते में भी यह होता है । सयासी जमातों को यह देखना पड़ेगा कि हम अपने लोगों को इस प्रकार से ट्रेन करें कि इस चीज को खत्म करने का रास्ता निकल सके । यह जो कदम उठाया गया है फोटो लेने का, आइडेंटिटी कार्डस बनाने का, इस कदम के उठाने से पहले हमारे एलेक्शन कमिश्नर ने देश की सयासी जमातों से पूछा था या नहीं, यह मैं नहीं जानता, लेकिन जो फैक्ट्स एड फिगर्स हमारे पास हैं उन से पता चलता है और बंगाल लेजिस्लेटिव असेम्बली में कम्यूनिस्ट पार्टी के लीडर श्री ज्योति बसु ने जो एलेक्शन अधिकारी वहां के हैं उन को लिखा है, उन्होंने कबूल किया है, कि जो काम वहां हुआ है वह बहुत अच्छा हुआ है । लेकिन ज्यादा से ज्यादा फोटो लेने में वोटर्स की, एक बहुत बड़ा फासला रहा है और देश की पोलिटिकल पार्टीज ने भी इस में मदद दी है । पहले दो महीने से कम अर्से में करीब करीब डेढ़ लाख वोटर्स के फोटो लिये गये । जून २७ के बाद से, जब से यह काम शुरू हुआ है, कितना टाइम हो गया है ? आठ महीने का टाइम था, हर रोज करीब करीब ३ हजार वोटर्स के सक्सेसफुल एक्सपोजर्स किये जाते थे । पहले दो महीनों के अन्दर जो काम हुआ उस के मुताबिक आप देखेंगे कि करीब करीब ७५ हजार फोटो हर महीने में लिये गये । लेकिन उस के बाद जो मुसीबत उन के सामने आईं, वह क्यों आईं, इस की तरफ भी हमें देखना पड़ेगा । मैं यह कहना चाहता हूं कि अगर यह बात सही है कि नोटिफिकेशन निकला था कि फलानी कांस्टिटुएन्सी में वोटर्स का आइडेंटिटी कार्डस के जरिये पहचानने के लिए फोटो लेने का कदम उठाया जायेगा, तो हमारी सयासी पार्टियों का भी यह काम था कि वे आगे आतीं । हम हर वोटर के वोट्स हासिल कर सकें, जिन को वोट देने का हक है, इस के लिए हमें उन को मदद करना चाहिए था ।

अभी हमारे श्री एस० एम० बनर्जी ने कहा था कि इस बाई-इलेक्शन को हुए बहुत देर हो गया है, इस के बाद भी अगर यह एलेक्शन रुक जाता है तो इस माननीय सदन में जिस एक मेम्बर की कमी है, उस की काबलियत का फायदा हम नहीं उठा पायेंगे, भले ही किसी भी सयासी पार्टी का आदमी आये जहां तक मुझे मालूम है इस बाई-इलेक्शन के वास्ते कम्यूनिस्ट पार्टी का उम्मीदवार है, इस के वास्ते पी० एस० पी० का उम्मीदवार है और इस के वास्ते कांग्रेस का भी उम्मीदवार है । मैं कहना चाहता हूं कि यह गलती एलेक्शन मैशीनरी की तो नहीं है, एलेक्शन कमिश्नर की नहीं है, वहां के जो लोग हैं उन्होंने ही इस के वास्ते साज सामान तैयार कर के रखा है । इतना ही नहीं, पहले जो टाइम मुकर्रर था ७ बजे से १० बजे तक और ४ बजे से ६ बजे तक, फोटो लेने के लिये उस के बजाय वहां की कांस्टिटुएन्सी में रहने वाले जो लोग हैं उन के लिए जो समय ठीक हो उस टाइम पर फोटोग्राफर्स को जाने के लिए उन्होंने

[श्री यादव नारायण जाधव]

इंस्ट्रक्शन्स दिये थे । यही नहीं, जिस कांस्टिटुएन्सी में पार्लियामेंट के लिए चुनाव होने जा रहे हैं उस में पिछले दो महीनों से हर असेम्बली कांस्टीटुएन्सी के लिए दो सेंटर्स कायम किये गये हैं फोटो लेने के वास्ते । गवर्नमेंट की एलेक्शन मैशीनरी ने लाउड स्पीकर के जरिये या दूसरा जो सामान इस के लिए हो सकता है, उस के जरिये लोगों को बतला दिया कि जिन-जिन का वोट दर्ज न किया गया हो या आइडेंटिटी कार्डस के वास्ते फोटो न लिया गया हो, उन को वहां जाना चाहिए । यह जो कदम एलेक्शन कमिश्नर ने कलकत्ता में लिया है या दूसरी म्यूनिसिपल एरियाज में उठाया जायेगा वह सही है या गलत, इस के वास्ते हम झगड़ा कर सकते हैं, रेजोल्यूशन ला सकते हैं कि यह जो पद्धति है इस को खत्म कर दो । यह हम कह सकते हैं, लेकिन इस के साथ हमें कुछ कांक्रीट तरीका भी बतलाना पड़ेगा गवर्नमेंट को और अपने देश को, कि जो बोगस वोटिंग होती है उस को हम इस तरह से रोकना चाहते हैं । बोगस वोटिंग कौन कर सकता है, जिस के पास पैसा है, जिस के पांव में यह जूता ठीक बैठ सकता है । इसलिए मैं कहना चाहता हू कि आज जो हालात हैं उन में सयासी पार्टियों को यह पोजीशन लेनी चाहिए कि एलेक्शन के टाइम तक जितने वोटर्स की फोटो ली जा चुकी हो, जिन को आइडेंटिटी कार्डस मिल चुके हों, उन वोटर्स के जरिये ही यह चुनाव होना चाहिए । उस के बाद अगर यह तरीका गलत मालूम हो तो सयासी पार्टियों को उसे हटा देना चाहिए और दूसरा तरीका सोचना चाहिए जिस से कि बोगस वोटिंग को ज्यादा से ज्यादा खत्म करने के लिए कोई रास्ता निकल सके ।

18 hrs.

Mr. Speaker: Shrimati Renu Chakravartty. I am competent to call only those hon. Members who have given notice earlier. Anyhow, Shrimati Renu Chakravartty comes from Bengal, and, therefore, I shall allow her. She had not given me notice earlier.

Shrimati Renu Chakravartty: I am sorry. We have raised this matter not at all from a partisan point of view. Therefore, I was a little pained when one of my sisters tried in an indirect way to point out that possibly it is a particular party that is really an expert in bogus voting, and, therefore, we are trying to fight against this. But I feel that we should look upon it not in a partisan view, but from the point of view of the method by which we can eliminate bogus voting. All of us want to eliminate bogus voting. Every single party wants to eliminate it. The method of photographing we had thought of was the best. But in its very implementation, we find that more than a lakh of voters, that is, about 25 to 30 per cent of the voters who are on the revised list are being disqualified. These revisted electoral rolls were undertaken, I think, only two years ago, and about 7,000 people were taken off from the earlier rolls. Out of the new electoral rolls, more than one lakh voters, that is, about 25 to 30 per cent of the voters are going to be disqualified. If such is the position, if the treatment is so radical that the man himself is going to die and that right of franchise is going to be denied to so many people, then, certainly, this House will have to reconsider this matter.

My hon. friend Shri Yadav Narain Jadhav has said that we would have to come together and decide how we are going to eliminate bogus voting. Let us do it. I would have been glad if my hon. friend Shrimati Renuka Ray had put forward a proposal under which the right of franchise and the elimination of bogus voting would both have been ensured. But when she stands up and says that even after a large number have been eliminated from the original list of voters, even then

the question of bogus voting is of prime importance, then, I think we have to consider it.

Shrimati Renuka Ray: I said, leave it to the Election Commission which has a good reputation. My hon. friend may please realise what I said.

Shrimati Renu Chakravartty: Therefore, my point is that we from this House may make our recommendation known to the country and also to the Election Commission.

The point has been raised that it was this House that had passed that Act and that photograph provision. It is true that we have passed it and this House is supreme. If the House finds that something has gone wrong with what it had enacted, I think it is but proper that we have to reconsider it.

Even according to the law that we have passed,—I would give this much credit to the Law Ministry—we have said that an identity card may be given with or without photographs, because the framers seem to have had in their mind that there may come about circumstances when it may not be possible to photograph everybody. When that is the provision, if today we find that a large number of people have not been photographed, I think it is only right that the hon. Minister and this House must express their opinion that in the circumstances of the particular by-election where almost 25 per cent. of the electorate is being disqualified, the onus or the responsibility will have to rest upon Government and they would have to allow the voters to come with identity cards without photographs. That is one of the suggestions that I would make for this particular by-election.

Another point that I would like to raise is this. No rules have been framed in the case of identity cards without photographs. Actually, there should have been rules to cover these cases also. But our executive has not thought it proper at all to consider this question as to what the framers of this amendment had in mind as to what the case would be where we cannot have photographs

I would also like to point out that the onus of giving these cards rests upon Government subject to two conditions. One of them is that Government have to prove that the person who is being disqualified has evaded or has refused to take the card. Now, on the very basis of the seven thousand cards which remain undelivered to people who have been photographed, according to the idea of the Ministry itself, they are of persons who have been photographed, and, therefore, they are not bogus voters. Therefore, these seven thousand persons are not bogus voters; nor have they refused to take their photographs. Therefore, how can you say, even on the basis of these 7,000 that remain undelivered that they have refused and they have evaded. Sir, you do not know how this is done. This is a peculiar method. We have to stand with a sort of wooden thing in our hand in which the number of the voter is marked just like criminals. We have to stand like that and the picture is taken. After having done that, those people have to get these cards from photographers and the Government has to go from house to house.

I myself, 3 days ago, carried out a house to house campaign of 40 houses. I went to one of the middle class areas in the Bhiwanipur constituency, School Row, Deban Mukherjee Road, Harish Mukherjee Road, Kalighat Road and those areas. What is the picture there? Out of the 40 houses, there were three houses where they said that they had received all the photographs. There was one house in which there was a respectable businessman of that area, who, as Shri Aurobindo Ghosal said, belongs to one of the old families of Calcutta who are fairly conservative. He said: "Shall I allow my womenfolk to be photographed by some strutting young man who comes and says, 'I am a photographer and I am going to take the photographs of your women'?" He said, 'Nothing

[Shrimati Renu Chakravartty]

doing; I will never allow it. I showed him the way out. I have taken my photograph; but I cannot allow my women to be photographed.' But, our Law Minister says that women photographers are available. But that old gentleman said, 'No woman photographer has come here.'

After that I found that, in about 50 houses, if 5 had been photographed, 3 have not been photographed because when the photographer came all of them were not available, although my hon. friend Shrimati Renuka Ray says that the photographers are all there from 7 A.M. to 7 P.M. There will be houses in which after 10 o'clock people go out to office and at no one time can all of them be found. Even then, they say you can go to the park in the evening. Frankly speaking, we have to admit that a very large percentage of our electorate is not so politically conscious that they will take the trouble. If you know our city, living in Harish Mukherjee Road, to go all the way to the park may be about half a mile. Who in the terrible heat is going to take the trouble of going to the park? It is not done. Then, if you want to complain, you have to go to Surendra Nath Banerjee Road which is about 2½ miles away and for a person living in Garden Reach it will be 4 miles away. Getting up in the morning and working from 7 in the morning till 7 in the evening who will sign the complaint and take it to Surendra Nath Banerjee Road? Frankly speaking, most people will not do it and they have not done it. This is the position.

Not only that; I would like the House to understand the peculiar position which I found in one of the houses. The gentleman told me that two photographs were given to him; one was the correct one and the other one did not belong to anybody in his family. So he returned it. They are not bogus voters. They are not anxious to go in for bogus voting. Let not that idea go about in this House.

Mr. Speaker: There is no meaning; they cannot use the photographs.

Shrimati Renu Chakravartty: They cannot use the photographs. I can tell you a different case—of dead voters. We have found one or two cases where, actually, people have photographed themselves as somebody else. I do not oppose this photograph on principle; it may reduce impersonation. Many peopde have asked us. 'Why were you so late in raising this objection?' Because, on principle, I thought it was a good thing. But, when I find that some 25 per cent. of the electorate has been disenfranchised, then, I think it is time that for this election at least you must ask the Election Commission to exercise its discretionary powers—they are given discretionary powers not mandatory powers—in order to allow people who are on the electoral rolls, to vote.

Regarding bogus voting, I personally feel I have no other recommendation to make except one. Maybe some people will laugh it away. (*Interruptions*). But I do feel that all the political parties should come together as we have done in the Election Commission. We have not taken any partisan attitude towards it although we know that the party that has more money can naturally utilise in a particular way. We have not been able to get money and we may not be able to utilise it.....

Shrimati Renuka Ray: Sir, I object to this imputation against the Election Commission. Whether you have money or not is not the question. Is the Election Commission influenced by money or can it be....(*Interruptions*).

Shrimati Renu Chakravartty: I do not think she follows my English. I am sorry for my English. I will just explain what I said.

Mr. Speaker: It is not necessary.

Shrimati Renu Chakravartty: The time is limited and so I will not ex-

plain it further. But I must say that we have generally come to more or less unanimous decisions as to the conduct of elections. On the question of bogus voters, all parties including the Congress Party and the Communist Party and all the other Parties should come to a decision that if any person supporting us is found to do bogus voting, we shall take very strict steps against him. We should come to a gentleman's agreement that no bogus voting will be allowed. Unless you come to this sort of an agreement, however much you may try, in these circumstances, nobody will be able to guarantee anything. In Europe people carry identity cards from their sixth year or so. In our country, it is never done. We are finding difficulty in that; it is a genuine difficulty. We do not want that a quarter of the total electorate should be disfranchised. Let nobody go with the idea that we are raising it because the Communist Party feels that it is going to lose the elections. Whether we lose or whether we win, we do not want postponement of the election either. I may tell you that this is going to open a floodgate of election petitions and we have had far too many of them. We should take cognisance of these facts both from the point of view of the democratic right of franchise as well as the right of having fair and free elections.

Mr. Speaker: I shall call the hon. Minister.... (*Interruptions*). I have called the hon. Minister to reply.

Shri Hajarnavis: Sir, I express my deep gratitude on behalf of the Election Commission that you have afforded us an opportunity for placing before the House the various steps taken by the Election Commission in the implementation of a duty which has been imposed upon that by the Parliament.... (*Interruptions*). The House is aware that under our Constitution the conduct of the election, the preparation of the electoral rolls and the taking of all the steps for the due constitution of the various legislatures are vested in the Election Commission. Under our Constitution, if a law is made by the Parliament, the Election Commission must give effect to it. Under the law which we passed in 1958, the Election Commission has been given discretion.

Shri Sadhan Gupta (Calcutta—East): On a point of order, Sir, I think the legal aspect was not permissible to be dealt with.

Mr. Speaker: All that he says is that the legality of it ought not to be questioned. So long as the Parliament statute is there, the Government has to carry it out unless it is repealed. That is what he says.

Shri Hajarnavis: I am referring to the rule by which the Election Commission has been given discretion to make a notification specifying the constituency where the identity cards were to be issued.

Mr. Speaker: As I understand, the simple question is this. Nobody denies the notification. If a person's name is not included in the voters' list, he is not entitled to vote, leave alone the identity card or the photograph. Now, even though there is adult suffrage and all that, unless the name is there, he is not allowed to vote. If the names are not there, the political parties who are interested must get his name enlisted and to the best of their ability the officers put down the names. So, whosoever's name is not there, either he must look into it himself, if he is interested or the political parties which are interested in getting the votes should get those names included.

Now, so far as identity cards are concerned, what he ought to have said was that six months or eight months have been given. If a person does not get his identity card because he is illiterate or he is not interested, it is the duty of the parties who are interested in the elections to get him the identity card. What happens in the case of names in the list? If the names of some persons are not enter-

[Mr. Speaker]

ed in the list the parties concerned see that those names are also included. Likewise they may get the identity cards also.

The third point is about the photographs. The only point is that the photographs are not available in spite of best efforts. Nobody claims perfection so far as the electoral roll is concerned. Some names are always omitted. If the persons or the parties concerned do not care to see that those names are included, they go out, they do not exercise their right to vote. It happens, whether in a small number or a large number.

The only question here is whether sufficient opportunity has been given, sufficient time has been given for this or whether this was hustled. If sufficient time has been given, and so many people are in the list and others have not come in because they do not care or they have not time because they cook in the morning and go to office in the afternoons, they will not be included. That is the simple point.

What the Minister ought to say is whether there has been any hustling, whether sufficient opportunity has been given, whether there are any difficulties due to which thousands of people have been disenfranchised.

Shrimati Renu Chakravartty: I do not think, Sir, anywhere, in any constituency, it has happened that in the electoral rolls, one-fourth of the people residing in that area have been left out, have been denied the right to vote. I do not think any such occasion has ever arisen.

Shri Hajarnavis: Sir, I cannot put it in a better way than you have done.

Shri S. M. Banerjee: You have said, Sir, that because a man is illiterate he might not have cared to enlist himself. Here 1,50,000 people are not in the list. Are we to take it that all these men are illiterate? They comprise of upper middle class, middle class and working class people.

Mr. Speaker: It is true that under the previous system of getting the names entered in the list a man goes there and gets the names entered. Therefore, there is no act of omission on the part of the voter himself. The man who goes to get the names entered merely asks the names of voters. If the voter in a particular house is not to be found he asks somebody in the house the names of voters in that house. In that case a person may or may not give more names. This led to difficulties. Normally, whoever is the registering officer has to find out whether the names are real names or bogus names. If some names are omitted, either the persons concerned themselves go or send a petition. Some others interested in getting their names included may also do it.

The same procedure can be followed here. The card along with the photograph can be obtained either by himself or by others interested in him. If sufficient opportunity has not been given, certainly objection can be raised. But if sufficient opportunity has been given and the man concerned is not prepared to take his card, what is the other remedy? That is the only point that he has to answer.

Shri A. K. Gopalan: I am sorry, Sir, you have posed the question in a way in which the whole question takes a different shape. The Election Commission in Calcutta has admitted that as far as practicable photographs will be given to the voters. If you say that it is the duty of the voter to get his photograph, then the best thing is that you can publish a list of the people in the country and say that they are all voters. Is it not the duty of the Government to adopt a method whereby every voter is able to exercise his right to vote. I have already pointed out that the political consciousness of the country is such that the voters will not themselves take interest.

The question here is this. A new method is going to be introduced. The Election Commission itself has said that if it is not practicable—within seven days they cannot think of it—then all voters will not be given photographs. It is not a question of ten voters, it is a question of thousands of voters. Then, can we have an election?

The other question, that it is the duty of the voters is secondary. If everybody in the country takes such interest, then there is no objection. But because it is only some years since we have introduced this new system of election there is not so much awareness. Why are we in such a hurry to introduce this new system of having photographs? We are not against it. We only point out that on 17th April the Election Commissioner has said that he cannot say whether the photographs can be given. He says: "as far as practicable". That means that there are many difficulties in the way.

Mr. Speaker: If it is not possible for him to distribute, how does he insist upon these votes?

Shri Hajarnavis: Every possible effort is being made to distribute the identity cards. They are sent out to the persons concerned. If the man is not there, then it cannot be delivered. People are notified that they may come to a particular place, the particular notified place, and collect the identity cards. This process will go on right till the election takes place.

Mr. Speaker: Why did they not fix a dead-line?

Shri Hajarnavis: That was done. We have been extending the date from time to time. Sir, I cannot improve the admirable manner in which you have expressed it. I will only give....

Mr. Speaker: I am only trying to understand, for the rest of the hon. Members who do not belong to Calcutta and who wanted to speak. Of course, Shrimati Renu Chakravartty has spoken. The other hon. Members unfortunately have not got to vote in this, but when another election comes they have the right to vote, and therefore every hon. Member must understand what exactly it is. Therefore, I stated what seemed to me to be the point at issue. Let them decide.

Some Hon. Members *rose*—

Shri Hajarnavis: I do not yield. Let the hon. Members yield.

Mr. Speaker: Order, order.

Shri Hajarnavis: Now, I will give the dates on which the various steps were taken.

Mr. Speaker: When was it started?

Shri Hajarnavis: On the 8th March, 1959.

Mr. Speaker: They started taking photos?

Shri Hajarnavis: On the 8th March, 1959, this constituency became vacant as a result of an election petition. After that, on the 23rd June, 1959, the photographs began to be taken, in pursuance of a notification which was issued earlier. Then, within seven weeks, as has been pointed out by an hon. Member, more than half the number of persons were photographed and identity cards were delivered. After that, this slackening began; something happened. Then, from August last year right up to March, the time has been extended and people are even now being photographed and identity cards are still being given. In the meantime, you will realise that this constituency has remained without representation in the Lok Sabha for almost a year, and we have been asked questions as to why we are not holding elections. The suggestion that has been made now by my hon. friend, Shri Banerjee,—(*Interruptions*).

Shri S. M. Banerjee: One election has not been held in Punjab for eight years.

Mr. Speaker: Order, order. Why should we copy that?

Shri Hajarnavis: It speaks for itself. What the hon. Member suggested was, he wants to proceed with this method of election, namely, holding the election after the identity cards are issued, and then he suggests that the elections should be held after three months. He suggests that the period that has been given so far, from June to March, is insufficient. What is going to be done within these three months? Does he assure us that we will be able to complete every single individual within three months? Therefore, in effect he wants that the provision which the Parliament has enacted should be scrapped.

Shri Punnoose (Ambalapuzha): No, Sir. We did not say that. There is provision in the rule. People are now being photographed.

Shri Hajarnavis: That discretion, as I said, vests in the Election Commission and it has been exercised by the Election Commission, and with the discretion of the Election Commission this Government does not propose to interfere at all. It must be kept above party politics and party controversies. The Election Commission is an independent organisation which shall not be brought into any controversy at all. We are always anxious to see that, while the Election Commission discharges its duty, at no stage should the Government impose any of their decisions upon the Election Commission.

Shri A. K. Gopalan: Who has attributed motives to the Election Commission?

Shri Hajarnavis: The Election Commission says that this constituency in which notification under rule 26....

Shri A. K. Gopalan: None of the speakers who spoke here have attributed any motives to the Election Commission. We have not done that.

Mr. Speaker: Yes, nothing has been said about the Election Commission. Only the difficulties have been pointed out.

Shri Hajarnavis: When the last election was held the roll contained more than 4,10,000 names; as my hon friend has pointed out, when the figures were checked they found that almost one in every five was a bogus name. And every bogus name is a cover for impersonation. Therefore, the Election Commission was obliged to order a special revision and in the special revision, as the hon. Member, Shrimati Renu Chakravartty had pointed out, more than 70,000 bogus voters' names were deleted. We do not know whether there are any further bogus names. After all, a duty is imposed upon the Electoral Registration Officer to photograph and no super-human efforts are demanded by law for that. I will state before the House what exactly was done. From the 21st June more than 114 photographers went round the city. One photographer and his assistant were given a part of the electoral roll with about 500 names and asked to go to the respective residences and take their photographs. They usually used to work from 7 to 10 in the morning and 4 to 6 in the afternoon. The dates of their visits were duly publicised through loud-speakers and other means. Each photographer had only a small area to visit, and he went round not once but three or four times. Therefore, we have satisfied the condition, the Election Commission has satisfied the condition that it has made every possible human effort to comply with the law and that is exactly what the Election Commission says when it points out that it has made all efforts, as far as practicable, to see that the law is complied with. After all no apparatus or instrument has yet been devised which will photograph phantoms. If there are voters and if they are anxious and prepared to exercise their votes, it will save bother to them, bother to their party and bother to everyone connected with the elections if they co-operate

in preparation of identity cards. If they want to get photographed they have to sit there only for two minutes. Then the photo is affixed to the identity card which will be useful not only for the purpose of the election but for other purposes as well.

Then, you will be interested to know that three copies of the photograph are made. One copy is attached to the rolls, one copy is affixed to the identity card and the third copy is presented gratis to the voters.

Shrimati Renu Chakravartty: Yes, if it reaches him.

Shri Hajarnavis: Our Law Minister was there the other day and he was telling us how enthusiastic the voters were to get their photographs.

Shrimati Renu Chakravartty: Who said it? Our Law Minister?

Shri Hajarnavis: Therefore I submit that even if, as Shrimati Renu Chakravartty says, the onus likes the Election Commission, that onus has been fully discharged. As I said, more than 8 or 9 months have been employed in going round the city and asking the voters to get photographed.

Shrimati Renu Chakravartty: There are 7,000 voters who have not been able to get their photographs according to your own Statement.

Shri Hajarnavis: If a man does not sit before the camera how can you photograph him? Suppose a man refuses to call at our office to collect the photograph after he has been photographed or he refuses to get photographed at all, what can we do? Some people have some views of their own. They say that it is below their dignity to be photographed. There are all sorts of queer people. But law cannot be changed to accommodate their claims.

Take my own case. I have provided myself with an identity card, because I am otherwise stopped by the sentry when I go to my office in the North Block. I have myself been provided with this identity card. It is such a good facility.

Mr. Speaker: I am sure that all hon. Members of Parliament have their identity cards with them.

Shri S. M. Banerjee: May I submit that in spite of the Supplement to the *Who is Who*, it has not been possible to get all the photographs and life sketches of hon. Members of Parliament? So, even in three years some of the hon. Members could not do it.

Shri A. K. Gopalan: I want to make a clarification. It was enquired whethere it is sufficient to produce our identity card of Members of Parliament. They said: No, unless you have got the convict-looking photograph, you will not be allowed to exercise your franchise. Shri Biren Roy, who is a Member of Rajya Sabha, went to the electoral officer and said: "I am a Member of Parliament, I have got my identity card" he said, "Whether you are a Member of Parliament or not, we want this photograph with the number".

Shri Hajarnavis: If the law requires that, every citizen of this country he must submit himself to that. If the passport law requires that the photograph should be of a particular size, you cannot carry a portrait with you, though it may have been certified by the highest dignitary in the State The law must be obeyed. No one here is above the law.

Shrimati Renuka Ray: We have cards as Members of Parliament. Will those photographs or cards take us to foreign countries or do we have to take out passports? Can we be beyond the law altogether just because we have Parliament cards? Is that the way Shri Biren Roy should answer?

Shri Warior (Trichur): Even those cards are lost by hon. Members often.

Shri Hajarnavis: As you have rightly observed, though the right to vote

[Shri Hajarnavis]

is guaranteed to every adult person under the Constitution, in preparing the rolls certain mistakes are bound to occur. After all, you cannot include every possible voter. The Electoral Registration Officer or his assistants go, make an enquiry from one of the persons in the house and take down the names. Therefore it cannot be claimed that he has complied with the strict letter of the law in seeing that every person is enrolled. So far as the electoral roll is concerned, if you ask even the Election Commission it will say, "We have prepared the roll which is correct as far as practicable". That does not show that the method has failed. That only shows how conscientious they are in discharging their duty. I hope we have taken all possible steps. Now if attempts are being made long after the elections are advertised, long after the photographing has begun....

Shrimati Renu Chakravartty: What about delivering photographs that have been prepared?

Shri Hajarnavis: ....long after the nominations have been filed, then I submit that it does appear that there is some.... (*Interruption*).

An Hon. Member: May I have a clarification?

Mr. Speaker: Order, order. I am afraid we are fighting the elections here.

Shri Hajarnavis: ....there is some object other than finding an objection.... (*Interruption*).

Shrimati Renu Chakravartty: Four months ago photographs of people have been taken.... (*Interruption*). Even those have not been delivered.... (*Interruption*).

Shri Hajarnavis: .... there is some object other than finding an objection to the method which the Parliament itself has approved.... (*Interruption*).

Mr. Speaker: Order, order. I find it very difficult to carry on. Two hon. lady Members, one from each side, have taken possession of the House.... (*Interruption*). There is enough lobbying.

Shri A. K. Gopalan: May I have a clarification? Today is the 22nd of April and on the 1st May elections will be conducted. Will the candidates get a list of voters who are eligible for voting? When will they get it? If they will not get it, will the agents of the candidates get a list on the 1st May showing eligible and non-eligible candidates?

Mr. Speaker: Are there not electoral rolls already?

Shri Sadhan Gupta: They do not show as to who have been photographed.

Shri A. K. Gopalan: And who have not been photographed.

Shri Hajarnavis: I am informed that copies of the electoral rolls are supplied to the various parties. That is usually done by the Election Commission. They are also made available to the various individuals.

Shri A. K. Gopalan: You do not follow my question. My question is about the photographs.

Shri Hajarnavis: I follow it. He may please sit down. I will answer his question.

Shri Rameshwar Tantia (Sikar): I cannot understand why there should be so much fuss and why they are so much afraid of the photographs.

Shri Hajarnavis: As soon as a photograph is taken and an identity card is issued, a mark is made to show that that particular voter has been issued an identity card. This process is going on till the very last. But if my hon. friend tells me that in a constituency which has 3,40,000

voters there is going to be an individual approach from voter to voter, then it is an election which....

Shri A. K. Gopalan: My question is not that. Please answer the question. If you cannot answer it, please say so. My question is whether there will be a list. Generally, that is the system. We also know that generally there will be a voters' list which will be used on the polling day showing the voters who will be eligible for voting. Suppose I am a candidate. I must tell the agent who are the voters. So according to this, will there be any mark there in the voters' list showing that a particular man has not been given a photograph and so is not eligible to vote? Or else, how can we know as to who are the eligible voters?

Mr. Speaker: What the hon. Member wants to know is this. The polling officers must have voters' lists with them. There may be some persons who belong to Pakistan or to some other country who are sojourners and who may all look like Indians. If they go there, their names must be there in the voters' list. Is there a voters' list containing the names of all voters? Secondly, do they have an identity card? Thirdly, do they have a photograph? If at least the voters' lists are there according to the old practice, in respect of any person who does not have an identity card the polling officer might say, "Without an identity card I am not going to take it". Because, even according to the previous practice the voters' names may be there; there may be some *patel* or *patwari* sitting there to identify the man. Therefore, mere existence of the voters' list is not enough so long as the man is not identified. The identity card and the photograph serve the purpose of the identity officers at the polling station.

But, independently, there must be a voters' list with the names of all these persons. If those persons do not have identity cards, it is open to the officer there to say "this is the kind of identity that I wanted in the place of the other identity; this has not been produced; therefore, I am not going to allow you to vote".

All that Shri Gopalan wants to know is whether there is a basic voters' list where, according to the registering officer, the names of all eligible persons on account of residential and other qualifications are there. If that is there, the further question whether a list has been prepared of those that have identity cards or whether they have been photographed or not may not be necessary, for the reason that if they are brought there, without an identity card they won't come there. So he wants to know if at least the basic electoral roll is there or not.

Shri Sadhan Gupta: Sir, that is not the question.

Mr. Speaker: I understand the other question.

Shri Sadhan Gupta: Unless the candidates have the marked list....

Mr. Speaker: Not necessary. The candidate would be only put to some more trouble taking a number of persons without an identity Card.

An Hon. Member: That is the difficulty.

Mr. Speaker: There is no difficulty.

Shri Sadhan Gupta: He will have to approach 40 per cent. persons more.

Mr. Speaker: What if it is so? It does not go into the root of the matter.

Shri Sadhan Gupta: There are certain houses....

Mr. Speaker: The point is this. It seems to be clear that there is a basic electoral list. Then the only difficulty before an hon. Member will be,

[Mr. Speaker]

"Am I to take all these people even though they have not got the identity cards with them?" Before they are taken, if by themselves they go to the polling station, they will have to thank themselves if they have not got the identity card; they will have to go and come back. If a candidate takes him, in his own house also he can ask him whether there is an identity card with him. There won't be any trouble. If, in spite of that, the candidate thinks of persuading the polling officer and takes this man without an identity card, he will bear all the expense and trouble of taking him.

So long as there is an electoral roll in which the names are there, the further things like the identity card and the photograph are only the substitutes of those other persons who stand there physically to identify the voter.

The House will now stand adjourned till 11 A.M. on Monday, the 25th.

18.39 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, the 25th April, 1960/Vaisakha 5, 1882 (Saka).

[*Friday, April 22, 1960/Vaisakha, 2, 1882 (Saka)*]

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2486	Untouchability (offences) Act	13244
2487	Welfare of S.C. and S.T. in Jammu and Kashmir.	13244–45

PAPERS LAID ON THE TABLE . . . 13245–46

(1) A copy of the Madhya Pradesh Bhudan Yogna Board (Reconstitution) Order, 1960 published in Notification No. G. S.R. 345 dated the 26th March, 1960, under sub-section (5) of Section 4 of the Inter-State Corporations Act, 1957.

COLUMNS

PAPERS LAID ON THE TABLE—*contd.*

(2) A copy of each of the following Notifications under sub-section (4) of Section 43B of the Sea Customs Act, 1878 and Section 38 of the Central Excises and Salt Act, 1944, making certain further amendments to the Customs and Central Excise Duties Drawback (General) Rules, 1960 :—

(*i*) G.S.R. 390 dated the 9th April, 1960 .

(*ii*) G.S.R. 391 dated the 9th April, 1960.

(*iii*) G.S.R. 392 dated the 9th April, 1960.

REPORT OF PUBLIC ACCOUNTS COMMITTEE PRESENTED . 13246

Twenty-eighth Report was presented.

REPORT OF ESTIMATES COMMITTEE PRESENTED . . . 13246

Eighty-seventh Report was presented.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE . . . 13247-48

Shri Premji R. Assar called the attention of the Minister of Home Affairs to the reported murder of a police officer in Delhi on April, 11, 1960.

The Minister of Home Affairs (Shri G.B. Pant) made a statement in regard thereto.

BILL INTRODUCED . 13251

The Reserve Bank of India (Amendment) Bill

COLUMNS

REPORT OF BUSINESS ADVISORY COMMITTEE ADOPTED . 13252—55

Fifty-first Report was adopted.

RESOLUTION ADOPTED 13255—95

The Minister of Railways (Shri Jagjivan Ram) moved the Resolution re: Appointment of a Committee to Review Rate of Dividend Payable by Railway Undertaking to General Revenues. Shri Jagjivan Ram replied to the debate and the Resolution was adopted.

DEMANDS FOR EXCESS GRANTS (RAILWAYS) FOR 1957-58 . . 13295—13324

Discussion on Demands for Excess Grants in respect of Railways commenced. The discussion was not concluded.

REPORT OF COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS ADOPTED . . 13324

Sixty-third Report was adopted.

PRIVATE MEMBERS, RESOLUTION NEGATIVED . . . 13325—36

Further discussion on the Resolution *re*: Establishment of various Defence Councils concluded and the Resolution was negatived.

PRIVATE MEMBERS' RESOLUTION WITHDRAWN . . . 13336—13420

Shri A.M. Tariq moved the Resolution *re*: Withdrawal of Kashmir Case from U.N.O. After discussion the Resolution was withdrawn by leave of Lok Sabha .

COLUMNS

DISCUSSION ON MATTER OF URGENT PUBLIC IMPORTANCE . . . . . 13420—62

Shri S.M. Banerjee raised a discussion on the photographs of Voters of Calcutta South-West Parliamentary Constituency. The Deputy Minister of Law (Shri Hajarnavis) replied to the debate and the discussion was concluded.

AGENDA FOR MONDAY, APRIL 25, 1960/VAISAKHA 5, 1882 (SAKA)—

Further discussion on Demands for Excess Grants (Railways), 1957-58 and consideration and passing of the Representation of the People (Amendment) Bill.

GMGIPND—LS II -299 (Ai) LS—9-5-60—950.